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**FEDERAL REGISTER**  
 OF THE UNITED STATES 1934  
 VOLUME 9 NUMBER 223

*Washington, Wednesday, November 8, 1944*

**Regulations**

**TITLE 7—AGRICULTURE**

Chapter XI—War Food Administration  
(Distribution Orders)  
[WFO 79-41, Amdt. 1]

**PART 1401—DAIRY PRODUCTS**

**FLUID MILK AND CREAM IN SPOKANE, WASH.,  
METROPOLITAN SALES AREA**

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-41 (8 F.R. 13877, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Spokane, Washington, metropolitan milk sales area, is hereby further amended by deleting therefrom in § 1401.75 the numeral "100" specified in (e) (3) (i), (e) (3) (ii), and (g), and substituting therefor the numeral "105," and by deleting in § 1401.75 (e) (3) (v) the numeral "75" and substituting therefor the numeral "105."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., November 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79-41, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 79-41, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 4th day of November 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-17042; Filed, Nov. 6, 1944;  
12:41 p. m.]

[WFO 79-98, Amdt. 2]

**PART 1401—DAIRY PRODUCTS**

**FLUID MILK AND CREAM IN DECATUR, ILL.,  
SALES AREA**

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319) dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-98, as amended, (8 F.R. 15767, 9 F.R. 3537, 4321, 4319), relative to the conservation and distribution of fluid milk, milk by-products, and cream in the Decatur, Illinois, milk sales area, is hereby further amended as follows:

1. Delete the provisions of § 1401.132 (e) (3) and substitute therefor the following:

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk, 105 percent; (ii) cream, 79 percent; (iii) butterfat in cream, 79 percent; (iv) milk byproducts, 105 percent.

2. Delete from § 1401.132 (g) the numeral "100" and substitute therefor the numeral "105."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., November 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79-98, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 79-98, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 4th day of November 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-17042; Filed, Nov. 6, 1944;  
12:41 p. m.]

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#### NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
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[WFO 106, Partial Suspension]

#### PART 1414—POULTRY

##### TURKEYS

War Food Order No. 106 (9 F.R. 7808) issued on July 11, 1944, as amended (9 F.R. 12113), is hereby partially suspended as follows:

1. The provisions contained in § 1414.5 (b), (c) (1) to (c) (10), both inclusive, (d) (1), and (e) are hereby suspended.
2. The remaining provisions in said War Food Order No. 106, as amended, are to remain in full force and effect.

This order shall become effective at 12:01 a. m., e. w. t., November 6, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 106, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 106, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding

with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of November 1944.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-17041; Filed, Nov. 6, 1944; 12:41 p. m.]

#### TITLE 29—LABOR

##### Chapter VI—National War Labor Board

###### PART 802—RULES OF PROCEDURE

###### PANEL REPORT AND COMMENTS

Subparagraph (5) of § 802.25 (a) of the rules of procedure has been amended to read as follows:

§ 802.25 *Panel report and comments*—(a) *General.* \* \* \*

(5) Copies of each panel report, after review by the appropriate Disputes Division, shall be sent to the parties. The parties shall have the right to submit comments upon the report and recommendations within ten days after they are mailed to them, or within such other time as may be agreed upon by the parties, allowed by the panel or by the appropriate Disputes Division. If such comments are furnished by the parties they shall be accompanied by fifteen copies, which shall be distributed together with copies of the panel report to the members of the Board or its agent, as the case may be. Copies of the comments shall be served by the parties on the other parties to the case at the time of submission to the Board or its agent.

(E.O. 9017, 7 F.R. 237, E.O. 9250, 7 F.R. 7871, War Labor Disputes Act, P.L. 89, 78th Cong.)

Adopted October 28, 1944.

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 44-17045; Filed, Nov. 7, 1944; 9:58 a. m.]

#### TITLE 31—MONEY AND FINANCE: TREASURY

##### Chapter I—Monetary Offices, Department of the Treasury

###### PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

###### CURRENCY REGULATIONS

OCTOBER 21, 1944.

Revocation of regulations relating to currency, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

The regulations relating to currency (§ 133.1 (7 F.R. 5114, 5900, 6255)) are hereby revoked.

Such regulations are hereby continued in full force and effect as to all acts done or omitted to be done and as to any penalties or liabilities incurred prior to this revocation.

[SEAL] INGRAM M. STAINBACK,  
Governor of Hawaii.  
Confirmed:

ORVIS A. SCHMIDT,  
Acting Director,  
Foreign Funds Control.

[F. R. Doc. 44-17092; Filed, Nov. 7, 1944;  
11:34 a. m.]

**PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII**

**SECURITIES REGULATIONS**

OCTOBER 21, 1944.

Revocation of regulations relating to securities, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

The regulations relating to securities (§ 133.2 (8 F.R. 12736)) are hereby revoked.

Such regulations are hereby continued in full force and effect as to all acts done or omitted to be done and as to any penalties or liabilities incurred prior to this revocation.

[SEAL] INGRAM M. STAINBACK,  
Governor of Hawaii.  
Confirmed:

ORVIS A. SCHMIDT,  
Acting Director,  
Foreign Funds Control.

[F. R. Doc. 44-17079; Filed, Nov. 7, 1944;  
11:34 a. m.]

**PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII**

**PART 135—GENERAL LICENSES UNDER REGULATIONS OF THE GOVERNOR OF HAWAII RELATING TO SECURITIES**

**SECURITIES REGULATIONS**

OCTOBER 21, 1944.

Revocation of general rulings, general licenses and public circulars issued under the regulations relating to securities under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

In view of the revocation of the regulations relating to securities, General Ruling No. HS-1 (7 F.R. 7428), General License No. HS-3, Public Circular No. HS-1 (7 F.R. 5900), Public Circular No. HS-2 and Public Circular No. HS-3 are hereby revoked.

[SEAL] INGRAM M. STAINBACK,  
Governor of Hawaii.  
Confirmed:

ORVIS A. SCHMIDT,  
Acting Director,  
Foreign Funds Control.

[F. R. Doc. 44-17093; Filed, Nov. 7, 1944;  
11:34 a. m.]

**PART 134—GENERAL LICENSES UNDER REGULATIONS OF THE GOVERNOR OF HAWAII RELATING TO CURRENCY**

**CURRENCY REGULATIONS**

OCTOBER 21, 1944.

Revocation of general licenses issued under the regulations relating to currency under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

In view of the revocation of the regulations relating to currency, General License No. HC-1, as amended, General License No. HC-2 and General License No. HC-4 are hereby revoked.

[SEAL] INGRAM M. STAINBACK,  
Governor of Hawaii.

Confirmed:

ORVIS A. SCHMIDT,  
Acting Director,  
Foreign Funds Control.

[F. R. Doc. 44-17094; Filed, Nov. 7, 1944;  
11:34 a. m.]

1. Nathan Eugene was familiar with the provisions of CMP Regulation No. 5, Priorities Regulations Nos. 1 and 3, and Conservation Order L-41, and his actions constituted wilful violations of these orders.

These violations have diverted critical materials to uses not authorized by the War Production Board and have impeded the war effort of the United States. In view of the foregoing it is hereby ordered, that:

§ 1010.650 *Suspension Order No. S-650.* (a) Nathan Eugene shall not for four months from the effective date of this order receive or accept delivery of any dry cell batteries or portable electric lights as defined in Limitation Order L-71, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nathan Eugene shall not for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(c) Nathan Eugene shall cancel immediately all preference ratings which he has applied or extended to orders which have not yet been filled, except that if he has extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) he need not cancel the rating, provided the item when received is promptly delivered to the customer whose rating was extended.

(d) Neither Nathan Eugene nor any other person shall do any construction work on four two-family dwellings located on or near Caswell and Brown Streets in Narragansett, Rhode Island, including putting up or altering these structures unless hereafter specifically authorized in writing by the War Production Board and the Federal Housing Administration.

(e) The restrictions and prohibitions contained herein shall apply to Nathan Eugene, doing business as Richmond Electric Company or under any other name, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) Nothing contained in this order shall be deemed to relieve Nathan Eugene, doing business as Richmond Electric Company or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 6th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17039; Filed, Nov. 6, 1944;  
8:43 p. m.]

PART 1270—METHYL ETHYL KETONE  
 [General Preference Order M-169,  
 Revocation]

Section 1270.1 *General Preference Order M-169* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Methyl ethyl ketone is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 64, issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-169 are effective under Schedule 64, but are limited in duration as if originally issued under that schedule. Pending applications need not be refiled.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
 Recording Secretary.

[F. R. Doc. 44-17091; Filed, Nov. 7, 1944;  
 12:01 p. m.]

PART 3175—REGULATIONS APPLICABLE TO  
 THE CONTROLLED MATERIALS PLAN  
 [CMP Reg. 5A, as Amended Nov. 7, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR GOVERNMENTAL AGENCIES AND INSTITUTIONS

- (a) Purpose and scope.
- (b) Definitions.
- (c) Controlled materials.
- (d) Preference ratings for MRO.
- (e) Departments engaged in several activities.
- (f) Quantity restrictions.
- (g) Deleted.
- (h) Special provisions relating to use of MRO.
- (i) Penalties for misrepresentation or diversion.
- (j) Inventory restrictions.
- (k) Additional assistance in individual cases.
- (l) Effect on other orders and procedures.
- (m) Reclassification of activities.
- (n) Records
- (o) Communications.
- (p) Restrictions on use of ratings.

Schedule I.

Schedule II.

Interpretations.

§ 3175.5a *CMP Regulation 5A*—(a) *Purpose and scope.* (1) The purpose of this regulation is to provide for governmental agencies and for institutions a uniform procedure for obtaining materials and products for maintenance, repair, operating supplies and minor capital additions (all frequently referred to collectively as MRO) both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Any agency or institution affected by this regulation requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4 or at retail without preference ratings or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all appli-

cable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to any governmental agency or to any institution to the extent that it is engaged in the following services or industries: gas, light, power, water, central heating, or the operation of a sanitary sewerage system or a storm sewerage system combined with a sanitary sewerage system for general use by the public, or to communications (in so far only as communications are provided for in Orders U-3 and U-4).

(3) [Deleted May 30, 1944.]

*Note:* Canadian governmental agencies and Canadian institutions will obtain MRO in the United States under Canadian Order PO 5 B.

(4) The provisions of this regulation shall not apply to Claimant Agencies as defined in CMP Regulation No. 1, except to such extent as may be specifically provided by order of the War Production Board. Any Claimant Agency which desires that this regulation be made applicable to any of its departments or activities may make application therefor by letter in duplicate addressed to the Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation 5A.

(5) Any governmental agency of a United Nation may get MRO under the regulation for its own use within the United States. Other foreign agencies and institutions may not use this regulation or CMP Regulation 5 to get MRO.

(6) Any federal agency and the national headquarters of the American Red Cross may use this regulation to get MRO for export. *Provided*, It is for their own use in their own operations. They may not use this regulation to get MRO for export for any other purpose. The term "federal agency" shall apply to the executive departments and all agencies, both temporary and permanent, of the Executive Branch of the Federal Government which have offices in foreign countries, but not to subsidiary corporations operating under federal agencies or to organizations conducting exploratory, production or manufacturing operations financed by and conducted under the direction of federal agencies. Other governmental agencies and other institutions may not use the regulation to get MRO for export.

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation.

(1) "Governmental agency" means any governmental agency in the United States, its territories or possessions, federal, state, county, municipal or local except any agency specifically excluded from this regulation by order of the War Production Board. (See paragraph (a) (5) concerning agency of foreign government and paragraph (a) (6) concerning MRO for export.)

(2) "Institution" means any institution within the United States, its territories or possessions, public or private, including but not limited to, schools, colleges, libraries, hospitals, welfare establishments and churches. (See paragraph

(a) (5) denying use of regulation to foreign institutions and paragraph (a) (6) concerning MRO for export.)

(3) "Educational institution" (see Schedule II) means, (i) any elementary or secondary school, and any college or university maintained and operated by any state or any political subdivision thereof, including school districts and cities, or by any agency of the Federal Government, its territories or possessions, or the District of Columbia;

(ii) Any other school, college or university which offers a curriculum substantially the same as that offered by a school, college or university maintained and operated by any state or any political subdivision thereof or the District of Columbia;

(iii) Any school, college, or university which is conducting one or more of the following programs as established and supervised by the United States Office of Education:

(a) Vocational Education for War Production Workers,

(b) Engineering, Science and Management War Training,

(c) Rural War Production Training;

(iv) Any school, college or university, which pursuant to letter of intent from, or contract with, the Army or Navy of the United States is engaged in housing, feeding or training any unit of military personnel;

(v) Any school, college or university which is specifically authorized by the War Production Board to operate under this regulation as an educational institution. Application for such authorization shall be by letter in duplicate stating the relevant facts addressed to the Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation 5A.

(4) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.<sup>1</sup> Certain improvements of this kind may be obtained as minor capital additions as explained in paragraph (b) (6).

(5) "Operating supplies" means any material or product which (i) is essential for conducting any activity or rendering any service by any governmental agency or by any institution and (ii) is consumed in the course of conducting such activity or rendering such service and (iii) does not constitute capital equipment. Materials included in any finished product produced by a governmental agency or an institution which are normally chargeable to operating expense may also be treated as operating supplies.

<sup>1</sup> See Interpretation 5 (a): MRO symbol and rating cannot be used to buy improvements or additions other than minor capital additions.

(6) "Minor capital addition" means, as explained in Interpretation 5, any improvement or addition, the cost of which, excluding the purchaser's cost of labor, does not exceed \$500. The term includes a group of items customarily purchased together and all items normally purchased as part of a single project or plan. In determining whether a job or project comes within the cost limit, all materials and products used must be included, regardless of whether the MRO symbol or rating is used in getting all or only part of the same. No job or project may be subdivided to come within this paragraph (b) (6).<sup>2</sup> There is no direct limit on the number of minor capital additions. The limit is in the fact that all materials and products used in the jobs or projects and obtained with the MRO symbol or ratings must be charged against the overall MRO quota which must not be exceeded. Where the capital addition involves construction, authorization to construct must be obtained to the extent required by Conservation Order L-41 or by any other applicable order or regulation of the War Production Board.

(7) Production material required by a governmental agency or an institution for physical incorporation in products manufactured by it, which products it sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance repair or operating supplies, as to such agency or institution.

(c) *Controlled materials*—(1) *Steel, copper and aluminum.* Subject to the quantity restrictions contained in paragraph (f) of this regulation, any governmental agency or any institution engaged in any activity or rendering any service listed in Schedule I or Schedule II attached to this regulation, requiring delivery of any controlled material (as defined in CMP Regulation No. 1) for MRO in the conduct of such activity or service, may obtain the same by placing on or accompanying its delivery order with substantially the following certificate (or the alternative form of certification provided in CMP Regulation No. 7) signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO 5A—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5A and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

An order bearing such certification shall constitute an authorized controlled material order.

(2) [Deleted May 30, 1944.]

(3) [Deleted May 30, 1944.]

<sup>2</sup>See Interpretation 6: Relationship between CMP Regulation 5A and Conservation Order L-41.

(d) *Preference ratings for MRO.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, orders by any governmental agency or institution calling for delivery of material or products, other than controlled materials, for maintenance, repairs, operating supplies or minor capital additions are hereby assigned preference ratings as follows:

(i) AA-1 for any activity or service listed in Schedule I.

(ii) AA-2 for any activity or service listed in Schedule II.

(iii) AA-5 for any other activity or service.

(iv) For any building devoted primarily to any service or activity listed in Schedule I or Schedule II, the rating assigned to that service or activity is hereby assigned.

(2) Any governmental agency or any institution which maintains a central stores system for its own MRO where it is impracticable to charge purchases for inventory against a particular service or activity, may establish a scale of percentages for each rating, for each class of items, based upon withdrawals from its central stores system during the calendar year 1942 (or its fiscal year ending nearest to December 31, 1942) by its various departments, branches or units, and may apply the appropriate percentage of each rating to its purchases for its central stores system.

In the alternative, any such agency or institution may apply to the War Production Board, pursuant to the provisions of paragraph (k) for the assignment of ratings for such stores system.

(3) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (or the alternative form of certification provided in CMP Regulation No. 7) signed manually or as provided in Priorities Regulation No. 7:

Preference rating \_\_\_\_\_ (specify rating): MRO 5A. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance, repair or operating supplies; that this order is rated and placed in compliance with CMP Regulation No. 5A and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

(4) [Deleted May 30, 1944.]

(e) *Departments engaged in several activities.* If any governmental agency or any institution, or any department or unit thereof, is engaged in several activities which are not assigned the same preference rating and if it is impracticable to apportion MRO between such activities, the principal activity alone shall be considered for the purpose of determining whether controlled materials may be obtained under paragraph (c) of this regulation, and also for determining which preference ratings may be applied under paragraph (d).

(f) *Quantity restrictions.* Any governmental agency or any institution which uses the MRO symbol or ratings assigned by this regulation must not or-

der for delivery any more materials or products than is permitted by this paragraph.

(1) *General quota.* An agency or institution must not order for delivery in any calendar quarter MRO costing more than one-fourth of what it spent for maintenance, repair and operating supplies in 1942, or in its fiscal year ending nearest to December 31, 1942.

(2) *Seasonal quota.* If operations are seasonal, an agency or institution must not order for delivery in any calendar quarter MRO costing more than the cost of maintenance, repair and operating supplies it had ordered for delivery in the corresponding quarter of 1942, or of its fiscal year ending nearest to December 31, 1942. Either the general quota or the seasonal quota may be chosen, but change to the other shall not be made without special authorization by the War Production Board.

(3) *Quotas for new agencies and institutions.* In the case of a governmental agency or an institution which was not in operation during the base period mentioned in paragraph (f) (1) and (f) (2), the agency or institution may take as a quota the amount it spent for maintenance, repair and operating supplies during the first quarter of 1943 (or during the part of the quarter it was in operation) reasonably adjusted for seasonal or other variable factors. However, it must first notify the War Production Board, in writing, of the base it is taking and what adjustments it has made. In the case of an agency or institution starting operations after February 28, 1943, MRO may be ordered under the regulation in the minimum amounts necessary for operation but not exceeding \$500 per quarter. If more than this amount is needed, application may be made to the War Production Board as provided in paragraph (f) (8).

(4) *Use of increased quota as a base.* Any increased quota for a quarter granted on or after March 16, 1944 by the War Production Board may be used as a quota for all future quarters unless or until this privilege be expressly denied.

(5) *How to figure and make charges against a quota.* In figuring a quota, an agency or institution must include every expense during the base period which it charged to a maintenance, repair or operating supplies account. It must not include amounts spent for minor capital additions. An agency or institution must charge against its quota for a quarter the cost of all MRO ordered for delivery in that quarter, regardless of when the order is placed, the material or products received or paid for. For instance, an item ordered May 15, 1944, scheduled for delivery August 15, 1944, actually received November 15, 1944, and paid for January 15, 1945, must be charged against the quota of the third quarter of 1944. Items to be charged against quota must include (i) all materials and products ordered for delivery for maintenance, repair or operating supplies, regardless of whether the MRO symbol or rating, some other rating, or no symbol or rating at all be used to get

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them; and (ii) all materials and products ordered for delivery for making minor capital additions for which the MRO symbol or rating is used. Materials or products going into a minor capital addition which are obtained without the use of the MRO symbol or rating need not be charged against quota. Note that in determining whether a particular capital addition falls within the permitted limits, the cost of all materials must be included, as explained in paragraph (b) (6). An agency or institution need not charge against its quota the cost of its own labor or the cost of any item on List A or B of Priorities Regulation No. 3 if, but only if, it did not count the cost of the excluded labor or items in figuring its quota.<sup>2</sup>

(6) *Special records.* Each agency and institution which is subject to this paragraph (f) must determine its quota and must keep its computations in its files for two years after the placing of its last order under this regulation. It must indicate on its computation any selection it makes under this paragraph (f) and in the case of paragraph (f) (3) "Quotas for new agencies and institutions", or paragraph (f) (4) "Use of increased quota as a base", it must indicate the base it selects. A record of expenses must also be maintained for at least two years.

(7) *Treatment of separate departments.* An agency or institution which has several departments, branches or units, which maintain separate records of MRO, shall treat each separately for the purpose of complying with the provisions of this paragraph (f).

(8) *Applications for increased quotas.* In any case where a quota provided in this paragraph is not enough for necessary operations, application for an increased quota may be made by letter in duplicate to the Government Division, Ref: CMP Regulation 5A, War Production Board, Washington 25, D. C. The following questions should be clearly answered:

1. What were your MRO expenses during your base year?
2. If on seasonal basis, what was the dollar volume per quarter of the MRO you ordered for delivery during your base year?
3. What are the dates of your base year and of your operating year?
4. How much have you spent for minor capital additions in each quarter of your current operating year?
5. What increases in quota have you had to date?
6. What amounts of increase (excluding labor costs) are necessary to your operations?

7. What are the specific facts justifying your needs for increase? Explain fully whether your needs for increase will be temporary or permanent.

8. If increase is for a specific operation which may not soon be recurring, between what dates will this operation be carried on?

Increased quotas will not have the effect of retroactively authorizing orders for delivery placed in violation of this regulation. An increased quota will not be granted for any period upon receipt

<sup>2</sup> See Direction 2 (b): Other items that may be excluded.

of application after the end of such period.

(9) *Agencies and institutions which use less than \$1,000 worth of MRO a year not limited.* The quantity restrictions of this paragraph (f) shall not apply to governmental agencies or institutions which do not require more than \$1,000 worth of MRO per year.

(10) *Further reports and limitations in special cases.* The War Production Board may, by further regulations or orders, require specified governmental agencies or institutions to file application or reports regarding their MRO requirements and may prescribe quantitative limits for the same, either larger or smaller than the limits provided in this paragraph (f).

(g) [Deleted May 30, 1944.]

(h) *Special provisions relating to use of MRO symbol and preference ratings.*

(1) Any person (such as the operator of a toll bridge or a contract garbage collector) who, pursuant to franchise from, or contract with, any governmental agency, performs any service for such agency may use the same allotment symbol and preference rating to obtain MRO required for such service, which such governmental agency would be entitled to use if it performed such service itself. In computing quantity restrictions under paragraph (f) hereof such service shall be treated as if it were performed by a single department of such governmental agency.

(2) Any person (such as a service repair shop) engaged in the business of doing maintenance or repair work for any governmental agency or any institution may use the same allotment symbol and preference rating to obtain materials needed in the performance of the work which such governmental agency or institution would be entitled to use if it did the work itself. The cost of materials used in the performance of maintenance or repair work shall be treated as expenditures of such agency or institution for the purpose of computing its quantity restrictions under paragraph (f). A person engaged in such business may, instead, request an allotment of controlled materials and a preference rating by applying to the War Production Board, on Form CMP 4-B, but if he does so he must use that method exclusively and may not use such customer's rating or symbol.

(3) Any governmental agency or any institution or any department, branch or unit thereof which is engaged in producing any product or conducting any business listed in Schedule I or Schedule II of CMP Regulation No. 5 may, to the extent, but only to the extent, that it is so engaged use the applicable rating assigned by CMP Regulation No. 5 and the symbol MRO-5A to obtain maintenance, repair and operating supplies required in conducting such business, but in so doing such agency or institution shall be deemed to operate under this regulation and shall be subject to all of the terms and provisions hereof.

(4) When any building is leased to a governmental agency or institution the landlord may use the same allotment

symbol and preference rating to obtain MRO required for such building, which such governmental agency or institution would be entitled to use if it owned and maintained such building itself; but if the building is occupied by several tenants and the supplies are not for the benefit of a single tenant, the landlord may use a tenants' rating and symbol only if 75 per cent or more of the leased property is used in activities or services on Schedule I or II of this regulation, and in such case, unless all of such activities and services are listed in Schedule I, only the AA-2 rating may be used. In computing quantity restrictions under paragraph (f) hereof, such building shall be treated as if it were maintained by a single department of a governmental agency or institution.

(i) *Penalties for misrepresentation or diversion.* (1) The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the agency, institution or person placing the order is entitled, under the terms of this regulation to the use of the symbol or preference rating indicated thereon.

(2) *Restrictions on use of MRO symbol and ratings.* No governmental agency and no institution shall use the MRO symbol or the preference rating assigned to it by this regulation to get anything except materials or products which it needs for essential maintenance, repair or operating supplies, or minor capital additions as permitted by paragraph (b) (6). If it is assigned different ratings by this regulation for different activities or services and it is practicable to segregate the purchases, it must not use a higher rating to get material or products for a purpose for which it is assigned a lower rating. If it is not practicable for the agency or institution to segregate its purchases, paragraph (e) explains what rating it may use.

(3) *Restrictions on use of materials.* If a governmental agency or an institution has bought material under this regulation for MRO and then finds that it has another use for it, it may use the material for the other purpose if a preference rating or allotment symbol is assigned the agency or institution by any certificate or order for that purpose. However, if the agency or institution uses the material for another use it may not replace it in its inventory by use of the rating or symbol assigned by this regulation. If the agency or institution replaced the material in inventory, it must use the rating or symbol assigned for the purpose for which the material was used. Also, if a governmental agency or an institution uses material bought under this regulation for another purpose, its records must be adequate to show that its purchases of material are substantially proportionate to its authorized uses. For example, suppose a governmental agency has a rating of AA-2 under this regulation for MRO and also a rating of AA-3 for a construction project. It may take lumber from its MRO inventory which it

bought on the AA-2 rating and use it on the construction job, but if it replaces it in its inventory it must use the AA-3 rating for the purpose, so that it will not, in effect, have filled both its MRO and its construction requirements with this AA-2 rating. Exchanges of this kind may be made only where the material is acquired in good faith for use as MRO. A governmental agency or an institution may not use the AA-2 rating to get lumber if it is getting it specifically for use in the construction project.

(j) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any governmental agency or any institution to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase its inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1, or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board.

(k) *Additional assistance in individual cases.* Any governmental agency or any institution being unable to take care of its MRO needs with the rating assigned to it by this regulation, and any such agency or institution, whose activity or service is not listed in Schedule I or II, requiring controlled material and being unable to obtain it from a warehouse or distributor under CMP Regulation No. 4, may apply to the nearest local field office of the War Production Board on Form WPB-541 (formerly PD-1A) for a higher rating or the right to use the MRO symbol to obtain controlled materials. Such form shall bear a notation to the effect that the material applied for is required for MRO and that the applicant is operating under CMP Regulation 5A. However, applications for increased quota shall be made as provided in paragraph (f) (8).

(l) *Effect on other orders and procedures.* (1) The preference ratings and allotment symbols assigned by this regulation may be used by a governmental agency or an institution unless it is engaged in an activity or business which is covered by an order in the "P" or "U" series which specifically provide that the ratings assigned by CMP Regulation 5A may not be used.

(2) [Deleted May 30, 1944.]

(3) [Deleted May 30, 1944.]

(4) When an order in the "E," "L" or "M" series assigns a specific preference rating to deliveries of any particular material to be used by a particular industry or for a specific purpose, such preference rating shall control and the preference ratings hereby assigned may not be applied.

(5) Nothing in this regulation shall be construed to relieve any governmental agency or institution from complying with any applicable priorities regulation or order of the War Production Board (including orders in the "E," "L" and "M" series) or with any order of any other competent authority.

(m) *Reclassification of activities.* Any governmental agency or any institution

which is of the opinion that any activity in which it is engaged should be listed in Schedule I, if it is listed in Schedule II, or should be listed in either Schedule I or Schedule II, if it is not listed in either of such schedules, may apply to have such activity so listed by filing a letter, in duplicate, with the Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation 5A setting forth the relevant facts and the reasons why it considers such request should be granted. The War Production Board may cause such activity to be listed in one of the schedules attached to this regulation or, in special cases, may permit the applicant to operate under this regulation to the same extent as though its activity were included in one of such schedules.

(n) *Records.* Each governmental agency and institution or other person acquiring maintenance, repair or operating supplies pursuant to this regulation, shall keep and preserve for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(o) *Communications.* All communications concerning this regulation should be addressed to: Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 5A.

(p) *Restrictions on use of ratings.* The preference ratings assigned by this regulation shall not be used to get any of the items shown on List A or B of Priorities Regulation No. 3.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I—PREFERENCE RATING AA-1

Air Patrol, survey and fire protection services operated by the Forest Service.

Air services operated by or for police and law-enforcement agencies; Bureau of Entomology and Plant Quarantine.

Hospitals.

Refuse and garbage collection and disposal.

Communicable disease control.

Alcan, Richardson, Steese, Glenn, Pan-American and Trans-Isthmian highways.

Public transportation facilities.

Docks, wharves and terminals.

Police and law enforcement agencies.

Anti-espionage and anti-sabotage activities—Federal agencies only.

Fire protection.

Beacons, markers, and radio devices employed as aids to navigation.

U. S. Post Office Department.

#### SCHEDULE II—PREFERENCE RATING AA-2

Air services operated by or for governmental agencies, except as otherwise rated.

Public streets, highways and roads.

Airports and flight strips.

Dams, levees and revetments.

Drainage and irrigation.

Canals—waterways.

Flood control facilities.

Farm labor camps operated as a part of the War Food Administration's migratory labor program.

Mineral resources: exploration for (governmental agencies only).

Storm sewers.

Street lighting, by governmental agencies which are not engaged in the business of furnishing electric power for use by the public, except in cases where equipment is maintained by a utility company.

Supplying gas, water, electric power, or central steam heating, by a governmental agency, when such service is for its own use exclusively.

Public dispensaries, clinics and health stations, governmentally-owned or operated not for profit.

Penal institutions and prisons including prison industries.

Mine safety.

Printing and publishing.

United States Mint.

United States Bureau of Printing and Engraving.

Processing, warehousing, distribution, preparation, serving and inspection of food by Governmental agencies only.

Over-all administration including staff services, such as fiscal, procurement, personnel, etc., by Governmental agencies only.

Repairs made necessary by reason of any breakdown of plumbing, heating, electrical wiring or equipment, or elevator service in any building or to provide against imminent breakdown of any such facilities by Governmental agencies only.

Publicly-owned buildings which are used for governmental activities.

Educational institutions.

Issued this 21st day of July 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### INTERPRETATION 1

##### INTERPRETATIONS OF CMP REGULATION NO. 5

Interpretations of CMP Regulation No. 5 are not all applicable to CMP Regulation 5A. Those which are, and which are of general interest to institutions and governmental agencies, will be republished separately under CMP Regulation 5A. (Issued Jan. 25, 1944.)

#### INTERPRETATION 2

##### NON-PROFIT FIRE-FIGHTING ASSOCIATIONS

An association of corporation, operated not for profit, organized for the purpose of fighting and controlling forest fires, and which, through its employees, is actually engaged in the activity of fighting and preventing forest fires, may use the rating assigned by CMP Regulation 5A to the activity of "fire protection" to obtain maintenance, repair and operating supplies required for such activity, but excluding all items on List A and B of Priorities Regulation No. 3. (Issued Jan. 25, 1944.)

#### INTERPRETATION 3

##### MRO SYMBOL CANNOT BE USED TO MAKE ALLOTMENTS

A governmental agency or an institution which is permitted to get controlled materials under paragraph (c) of CMP Regulation No. 5A for maintenance, repair and operating supplies is not entitled to use the MRO symbol for purposes of allotting controlled materials to others. For example, a governmental agency requires a spring as a repair part to be used in connection with an activity listed in Schedule I or Schedule II. It may use the MRO symbol to place an authorized controlled material order for steel which it will fabricate into the spring, but if it buys the spring from a spring manufacturer it may not make an allotment with the MRO symbol to the spring manufacturer. The spring manufacturer receives his allotment direct from the War Production Board as provided in CMP Regulation No. 1. (This interpretation

is substantially similar to Interpretation No. 2 to CMP Regulation No. 5 issued April 20, 1942. (Issued Jan. 25, 1944.)

## INTERPRETATION 4

## RESALE OR GIFT OF MRO MATERIAL

A governmental agency or an institution may not use the ratings or symbol assigned by CMP Regulation No. 5A to obtain supplies which it desires to give or sell to another governmental agency or an institution or to any person. For example, a federal agency desires to purchase office supplies to be given to a state agency. The federal agency may not use CMP Regulation No. 5A to obtain such supplies because they are not operating supplies as far as its own activities are concerned. (Issued Jan. 25, 1944)

[F. R. Doc. 44-17080; Filed, Nov. 7, 1944; 12:00 m.]

## PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5A, Interpretation 5, as Amended Nov. 7, 1944]

## MRO SYMBOL AND RATING CANNOT BE USED TO BUY ADDITIONS OR IMPROVEMENTS

The following amended interpretation is issued with respect to CMP Reg. 5A:

(a) The MRO symbol and rating assigned by CMP Regulation No. 5A for MRO (maintenance, repair and operating supplies) cannot be used by a governmental agency or institution to buy improvements or additions except to the limited extent permitted under paragraph (b) (6) relating to minor capital additions costing \$500 or less.

(b) The regulation is intended to give blanket priorities assistance to governmental agencies and institutions for use in ordering products and materials which are essential to keeping the agency's or institution's existing plant and equipment in running order. Attention is called to the fact that ratings assigned by the War Production Board for MRO are, in general, two degrees higher than those assigned for new construction, additions or improvements. The assignment of higher ratings for MRO reflects the recognition by the War Production Board of the necessity for keeping existing facilities in operating condition while the necessity for additions or improvements to existing facilities must be established, pursuant to application, on the merits of each individual case. This policy should be firmly borne in mind in using the blanket priorities assistance made available by the regulation.

(c) The MRO rating cannot be used to replace machinery or equipment which can be repaired. However, where a piece of machinery or equipment is worn out beyond repair the MRO rating can be used to buy a piece of machinery or equipment of the same general type, capacity and design, to replace it. Where an agency or institution wishes to replace worn out machinery or equipment with machinery or equipment of a different type or of greater capacity or improved design it should file an application for priorities assistance on Form WPB-541 (PD-1A) or such other form as may be prescribed. Attention is called to Interpretation No. 6, which explains how use of CMP Regulation 5A is limited by Construction Order L-41. (Compare Interpretation 8 to CMP Regulation No. 5 which explains the different rule under that regulation. The two regulations prescribe different standards because the accounting practices of business and government agencies are not based on the same principles.)

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17081; Filed, Nov. 7, 1944; 12:00 m.]

## PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5A, Interpretation 6, as Amended Nov. 7, 1944]

## RELATIONSHIP BETWEEN CMP REGULATION NO. 5A AND CONSERVATION ORDER L-41

The following amended interpretation is issued pursuant to CMP Reg. 5A:

(a) Order L-41 requires War Production Board authorization before beginning any construction work except in those cases where the order expressly states that authorization is not necessary.

(b) CMP Regulation No. 5A may not be used to get materials or products for any construction work which cannot be built under L-41 without specific authorization unless the authorization specifically says that CMP Regulation No. 5 or 5A may be used.

(c) In those cases where specific War Production Board authorization is not required before beginning construction and where materials needed for construction cost no more than \$500, CMP Regulation No. 5A may be used to buy materials and products needed for the construction. (This Interpretation is substantially similar to Interpretation No. 9 to CMP Regulation No. 5, issued July 29, 1943.)

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17082; Filed, Nov. 7, 1944; 12:00 m.]

## PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5A, Interpretation 7 as Amended Nov. 7, 1944]

## PURCHASER'S COST OF LABOR FOR MINOR CAPITAL ADDITIONS

The following amended interpretation is issued pursuant to CMP Reg. 5A:

Paragraph (b) (3) of CMP Regulation No. 5A permits the use of the MRO symbol and rating to get materials or equipment for a minor capital addition, where the cost of the minor capital addition does not exceed \$100 "excluding the purchaser's cost of labor".

This means that the cost of the materials or equipment going into the minor capital addition must not exceed \$500. The cost of labor for the manufacture of the materials or equipment must be included in figuring their cost. The cost of labor used in construction or installation of the minor capital addition need not be included.

This applies whether the agency or institution uses its own employees to do the construction or installation work or hires an independent contractor to supply this construction or installation labor.

It also applies where the agency or institution gets an independent contractor to furnish the materials and the labor for the job, and where the agency or institution buys a

machine or other article and has the seller do the work of installation.

NOTE: This interpretation is substantially similar to Interpretation No. 11 to CMP Regulation No. 5, issued May 22, 1944.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17083; Filed, Nov. 7, 1944; 12:00 m.]

PART 3288<sup>1</sup>—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Schedule IV, as Amended Nov. 7, 1944]

## CAST IRON SOIL PIPE AND FITTINGS

§ 3288.15<sup>1</sup> Schedule IV to Limitation Order L-42—(a) Definition. For the purposes of this schedule "producer" means any person who manufactures, processes, fabricates or assembles cast iron soil pipe and fittings.

(b) Simplified practices. Pursuant to Limitation Order L-42 the following simplified practices are hereby established for cast iron soil pipe and fittings:

(1) Cast Iron soil pipe shall be produced only in the following weights with a variation not exceeding 5 per cent (over or under) on individual lengths:

## VICTORY WEIGHT

Size (inches)	Per single hub length	Per double hub length
	Pounds	Pounds
2	20	21
3	30	31
4	40	42
5	55	57
6	65	68
8	100	105
10	145	150
12	190	200
15	255	270

## EXTRA HEAVY WEIGHT

Size (inches)	Per single hub length	Per double hub length
	Pounds	Pounds
2	25	26
3	45	47
4	60	63
5	75	78
6	95	100
8	150	157
10	215	225
12	270	285
15	375	395

(2) Cast iron soil pipe fittings shall be produced only in weights heretofore known commercially as "standard", "medium" and "extra heavy".

(c) [Deleted Mar. 15, 1944]

(d) [Deleted Mar. 15, 1944]

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17084; Filed, Nov. 7, 1944; 12:02 p. m.]

<sup>1</sup> Formerly Part 1076, § 1076.5 Plumbing and Heating Simplification.

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Schedule V, as Amended Nov. 7, 1944]

PLUMBING FIXTURE FITTINGS AND TRIM

Section 3288.16 *Schedule V to Limitation Order L-42* is amended to read as follows:

§ 3288.16 *Schedule V to Limitation Order L-42*—(a) *Definitions.* For the purpose of this schedule, "copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Limitations.* Pursuant to Limitation Order L-42, the following restrictions are established for the manufacture, assembly and finishing of plumbing fixture fittings and trim:

(1) No person shall use any copper or copper base alloy in the following items:

Flush tank trip lever assembly  
Shower rods and flanges  
Tubular and cast fixture traps  
Lavatory, bath and closet supply pipes  
Closet flanges  
Soap dispensers  
Waste and vent connections (compression type with lead gland)  
Lavatory legs and towel bars.

(2) No person shall use more than 80 ounces of copper or copper base alloy in any wash fountain trim.

(3) No person shall use any cadmium, chromium or nickel for plating or coating.

(4) No person shall produce any combination faucets, shower valves or tub fillers larger than  $\frac{1}{2}$  inch I. P. S.

(5) No person shall produce castings for plumbing fixture fittings and trim using any primary copper or tin and of a higher grade than Alloy 5A of the American Society of Testing Materials Specification B-145-42-T.

(c) *General exceptions.* The restrictions of this schedule do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases (when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels), or for use by the Veterans Administration or in chemical and research laboratories, abattoirs, food packing and processing plants, hospitals and all buildings in a hospital group, clinics, dispensaries, prisons and correctional institutions, and railroad cars.

(d) *Allotments of controlled materials.* Any person who wants to get controlled materials to use in the manufacture of plumbing fixture fittings and trim may apply for an allotment under CMP Regulation 1. A person who wants to obtain an increased allotment (or a person who has been denied an allotment under CMP Regulation 1) may also apply for allotments as explained in Priorities Regulation 25. However, the restrictions contained in paragraph (b) continue to apply to any production authorized under Priorities Regulation 25.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

INTERPRETATION 1

DISTRIBUTION OF PLUMBING FIXTURE FITTINGS AND TRIM PRODUCED UNDER PRIORITIES REGULATION 25

Schedule V to Limitation Order L-42 contains no distribution restrictions affecting plumbing fixture fittings and trim produced under Priorities Regulation 25. Therefore, distribution of plumbing fixture fittings and trim so produced need not be confined to the channels set forth in paragraph (c) of the schedule. Distribution is, however, subject to the provisions of Limitation Order L-79 and of all applicable regulations of the War Production Board. (Issued Sept. 30, 1944.)

[F. R. Doc. 44-17085; Filed, Nov. 7, 1944; 12:01 p. m.]

PART 3293—CHEMICALS

[Allocation Order M-159, Revocation]

BUTYL ALCOHOL

Section 3293.196 *Allocation Order M-159* is hereby revoked. This revocation does not affect any liabilities incurred under this order.

Butyl alcohol and butyl acetate are subject to allocation under General Allocation Order M-300 as Appendix A materials, subject to Schedule 66 (Butyl Alcohol) and Schedule 65 (Butyl Acetate), issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-159 are effective under Schedules 65 and 66, but are limited in duration as if originally issued under those schedules. Pending applications need not be refiled.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17086; Filed, Nov. 7, 1944; 12:01 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 34 as Amended Nov. 7, 1944]

UREA AND MELAMINE ALDEHYDE RESINS

§ 3293.1034 *Schedule 34 to General Allocation Order M-300*—(a) *Definition.* "Urea or melamine aldehyde resin" means any synthetic reaction product of urea, thiorea or melamine with formaldehyde, paraformaldehyde, hexamethylenetetramine, furfural or any other organic compound containing the monovalent CHO radical. The term urea or melamine aldehyde resin shall include crystalline reaction products capable of resinification, such as dimethylol urea, and shall include all such resins, modified or otherwise, in liquid, solid, spray dried, cast, granulated or powdered form and in solutions commonly termed syrups and resin solutions, as well as resin dispersions and emulsions.

However, the term urea or melamine aldehyde resin shall not include any reaction product used in compounding rubber; any mixtures of urea or melamine aldehyde resins with other resins or plastics which are allocated under Order M-246 (Phenolic Resins) or Schedule 54 (Vinyl Polymers), or Schedule 17 (Acrylic Resins) or Schedule 35 (Urea and Melamine Aldehyde Molding Compound) under Order M-300, as now or hereafter amended; or any products made from urea or melamine aldehyde resin, such as plywood, paper, laminates, textiles, leather, sand cores, or protective coatings (other than resins sold by suppliers to protective coating manufacturers for use in the formulation of protective coatings).

(b) *General provisions.* Urea and melamine aldehyde resins are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is July 1, 1943, when urea and melamine aldehyde resins first became subject to allocation under Order M-331 (revoked). The allocation period is the calendar month. The small order exemption without use certificate is 2,000 pounds in the aggregate of urea and melamine aldehyde resin per person per month.

(c) [Deleted Nov. 7, 1944.]

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 20th day of the month preceding the proposed delivery month. File separate sets of forms for liquid and for spray dried resin and for each of the following main classes of customers' uses: Adhesives and specialties (including plywood, woodworking, V-box, foundry core binder, froth resins, wet-strength paper), textiles, laminates, and protective coatings. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-34. Specify grade either as liquid or as spray dried. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt 2,000 pound small orders. In Table II fill in Columns 8, 9, 13, and 14 and leave the other columns blank.

(e) *Certified statements of use.* Each person placing a purchase order for delivery of more than 2,000 pounds per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of the proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. End use may be specified as for plywood, for adhesives for specified products (such as V-boxes), for laminates (specify sheet, rod, tube or molded shape), for protective coatings, for textiles (specify whether printed or finished) or for any other specified product. The governing military or Lend-Lease contract, if any, should be specified. Proposed use may also be specified as "for authorized resale", "for resale on exempt small or-

ders", and "for export" (specify destination and export license number).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule should be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-34.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17090; Filed, Nov. 7, 1944;  
12:01 p. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300,  
Schedule 64]

##### METHYL ETHYL KETONE

Section 3293.1064 Schedule 64 to General Allocation Order M-300—(a)  
*Definition.* "Methyl ethyl ketone" means methyl ethyl ketone, ethyl methyl ketone or 2-butanone of any grade and derived from any source.

(b) *General provisions.* Methyl ethyl ketone is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1942, when methyl ethyl ketone was first put under allocation by Order M-169 (revoked). The allocation period is the calendar month and the small order exemption is 54 gallons per person per month.

(c) *Transition from M-169.* Regular and interim allocations heretofore issued under Order M-169 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 17th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-64. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month when ordering from a producer, or the 7th day when ordering from a supplier who is not a producer. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-65. The unit of measure is

25, D. C., Ref: M-300-64, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Cements.  
Protective coatings.  
Paint and varnish remover.  
Coated fabric.  
Cellulose acetate sheets.  
Toluol substitute.  
Lubricating oils.  
Other primary product (specify).  
Export (in original form).  
Inventory (in original form).  
Resale (in original form).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-64.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17087; Filed, Nov. 7, 1944;  
12:01 p. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300,  
Schedule 65]

##### BUTYL ACETATE

§ 3293.1065 Schedule 65 to General Allocation Order M-300—(a)—*Definition.* "Butyl acetate" means the following:

Normal butyl acetate.  
Secondary butyl acetate.  
Isobutyl acetate.

*Note:* Butyl alcohol is subject to Schedule M-300-66.

(b) *General provisions.* Butyl acetate is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is May 26, 1943, when butyl acetate was first put under allocation by Order M-159 (revoked). The allocation period is the calendar month and the small order exemption per person per month is 54 gallons of each kind of butyl acetate listed in paragraph (a) above.

(c) *Transition from M-159.* Regular and interim allocations heretofore issued under Order M-159 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver butyl acetate shall file application on Form WPB-2946 (for-

merly PD-601). Filing date is the 17th day of the month before the requested allocation month. File separate sets of forms for normal butyl acetate, secondary butyl acetate and isobutyl acetate, specifying which one in the heading. Customers requiring butyl acetate for protective coatings and for other purposes may be included in the same set of forms. Send three copies (one certified) to the War Production Board, Chemical Bureau, Washington 25, D. C., Ref: M-300-65. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' WPB-2945 applications for non-protective coating purposes.* Each person seeking authorization to use or accept delivery of butyl acetate for non-protective coating purposes shall file application on Form WPB-2945 (formerly PD-600), as follows: Filing date is the 10th day of the month before the requested allocation month when ordering from a producer, or the 7th day when ordering from a supplier who is not a producer. File separate sets of forms for each supplier and for normal butyl acetate, secondary butyl acetate and isobutyl acetate, respectively. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-65, and one copy (reverse side blank) to the supplier. In the heading specify the kind of butyl acetate and leave the grade space blank in Columns 1, 11 and 19. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Resins (specify).  
Drugs and pharmaceuticals.  
Other primary product (specify).  
Export (in original form).  
Inventory (in original form).  
Resale (in original form).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Customers' WPB-2945 applications for protective coating purposes.* Each person seeking authorization to use or accept delivery of butyl acetate for protective coating purposes shall file application on Form WPB-2945 (formerly PD-600), as follows. A separate set of forms shall be filed for protective coating purposes, marked "Protective coatings" on the upper right hand corner of the form. Filing date is the 10th day of the month before the requested allocation month when ordering from a producer, or the 7th day when the supplier is not a producer. File separate sets of forms for each supplier and for normal butyl acetate, secondary butyl acetate and isobutyl acetate, respectively. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-65, and one copy (reverse side blank) to the supplier. In the heading specify the kind of butyl acetate and leave grade space blank in columns 1, 11 and 19. The unit of measure is

pounds. Fill in column 3 in terms of the following:

Paint.  
Varnish.  
Lacquer.  
Lacquer thinner.  
Other protective coating (specify).

Specify end use in column 4 as instructed by WPBI-1943. Fill in the other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-65.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17088; Filed, Nov. 7, 1944;  
12:02 p. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 66]

##### BUTYL ALCOHOL

Section 3293.1066 Schedule 66 to General Allocation Order M-300—(a)  
Definition. "Butyl alcohol" means the following:

Normal butyl alcohol  
Secondary butyl alcohol  
Tertiary butyl alcohol  
Isobutyl alcohol

NOTE: Butyl acetate is covered by Schedule M-300-65.

(b) *General provisions.* Butyl alcohol is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1942, when butyl alcohol was first put under allocation by Order M-159 (revoked). The allocation period is the calendar month and the small order exemption per person per month is 54 gallons of each kind of butyl alcohol listed in paragraph (a) above.

(c) *Transition from M-159.* Regular and interim allocations heretofore issued under Order M-159 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Restrictions on operation of butyl alcohol facilities.* No producer shall, unless otherwise authorized by the War Production Board, operate any part of his equipment or facilities which are capable of producing normal butyl alcohol, except for the production of normal butyl alcohol. Applications for authorization shall be made by letter addressed to the Chemicals Bureau, War Production

Board, setting forth fully the reasons for the application.

(e) *Alterations of existing butyl alcohol facilities.* No producer who has equipment or facilities for the production of normal butyl alcohol shall, unless otherwise authorized by the War Production Board, alter such equipment or facilities in any way so as to impair the capacity for the production of normal butyl alcohol. Applications for authorization shall be made by letter addressed to the Chemicals Bureau, War Production Board, setting forth fully the reasons for the application.

(f) *Territorial scope.* The provisions of this schedule apply to Puerto Rico as well as to the forty-eight States and the District of Columbia, notwithstanding Order M-300 (paragraph (g)).

(g) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver butyl alcohol shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 17th day of the month before the requested allocation month. File separate sets of forms for each different butyl alcohol listed in paragraph (a), specifying which one in the heading. Customers requiring butyl alcohol for protective coatings and for other purposes may be included on the same set of forms. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-66. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(h) *Customers' WPB-2945 applications, for non-protective coating purposes.* Each person seeking authorization to use or accept delivery of butyl alcohol for non-protective coating purposes shall file application on Form WPB-2945 (formerly PD-600), as follows: Filing date is the 10th day of the month before the requested allocation month when ordering from a producer, or the 7th day when ordering from a supplier who is not a producer. File separate sets of forms for each supplier and for each kind of butyl alcohol. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-66, and one copy (reverse side blank) to the supplier. In the heading specify the kind of butyl alcohol. The unit of measure is pounds. Leave grade space blank in columns 1, 11 and 19. The unit of measure is pounds. Fill in column 3 in terms of the following:

Diethyl phthalate.  
Butyl xanthate.  
Ethylene glycol monobutyl ether.  
Butyric acid.  
Oil additives.  
Insect repellants.  
Butyl acetate.  
Hydraulic brake fluid.  
Resins and plastics (specify).  
Medicinal and pharmaceutical.  
Butyl amines.  
Photographic and reproduction products.  
Other primary product (specify).  
Export (in original form).  
Inventory (in original form).  
Resale (in original form).

Specify end use in column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(i) *Customers' WPB-2945 applications for protective coating purposes.* Each person seeking authorization to use or accept delivery of butyl alcohol for protective coating purposes shall file application on Form WPB-2945 (formerly PD-600), as follows: A separate set of forms shall be filed for protective coating purposes, marked "Protective Coatings" on the upper right hand corner of the form. Filing date is the 10th day of the month before the requested allocation month when ordering from a producer, or the 7th day when the supplier is not a producer. File separate sets of forms for each supplier and for each kind of butyl alcohol. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-66, and one copy (reverse side blank) to the supplier. In the heading specify the kind of butyl alcohol and leave grade space blank in columns 1, 11 and 19. The unit of measure is pounds. Fill in column 3 in terms of the following:

Paint.  
Varnish.  
Lacquer.  
Lacquer thinner.  
Other protective coating (specify).

Specify end use in column 4 as instructed by WPBI-1943. Fill in the other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(j) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-66.

Issued this 7th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17089; Filed, Nov. 7, 1944;  
12:02 p. m.]

#### Chapter XI—Office of Price Administration

##### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 410, Amdt. 2]

PULPWOOD PRODUCED IN ARKANSAS, TEXAS  
AND THAT PORTION OF LOUISIANA WEST OF  
MISSISSIPPI RIVER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 410 is amended in the following respect:

In Appendix A (a) (2), subdivision (ii) is amended to read as follows:

(ii) If pulpwood is banked by the seller at the buyer's request at a rail siding, or within one mile thereof by road, and is later loaded at the seller's expense on the railway car, an amount not in excess of 80¢ per cord may be added to the appropriate maximum price.

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17074; Filed, Nov. 7, 1944;  
11:43 a. m.]

**PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[MPR 433,<sup>1</sup> Amdt. 3]

PULPWOOD PRODUCED IN VIRGINIA WEST OF COUNTIES OF CRAIG, MONTGOMERY, FLOYD AND PATRICK AND IN NORTH CAROLINA, EXCEPT COUNTIES OF ROCKINGHAM, STOKES AND CASWELL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 433 is amended in the following respect:

In Appendix A (a), subparagraph (6) is amended to read as follows:

(6) *Banked pulpwood.* If pulpwood is banked by the seller at the buyer's request at a rail siding or barge landing, or within one mile thereof by road, and is later loaded at the seller's expense on the railway car or barge, the appropriate maximum price may be increased by an amount not in excess of 80¢ per cord in the case of pulpwood shipped by rail, and \$1.00 per cord in the case of pulpwood shipped by barge.

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17075; Filed, Nov. 7, 1944;  
11:44 a. m.]

**PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[RMPR 387,<sup>2</sup> Amdt. 5]

PULPWOOD PRODUCED IN SOUTH CAROLINA, GEORGIA, FLORIDA, TENNESSEE, MISSISSIPPI, ALABAMA, AND LOUISIANA EAST OF MISSISSIPPI RIVER

A statement of the considerations involved in the issuance of this amendment

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 9837.

<sup>2</sup> 8 F.R. 2553, 2788, 8507.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 387 is amended in the following respects:

1. Footnote 1 to the table of prices in Appendix A (a) (1) is revoked.

2. In Appendix A (a) (2), subdivision (ii) is amended to read as follows:

(ii) If pulpwood is banked by the seller at the buyer's request at a rail siding or barge landing, or within one mile thereof by road, and is later loaded at the seller's expense on the railway car or barge, the appropriate maximum price may be increased by an amount not in excess of 80¢ per cord in the case of pulpwood shipped by rail, and \$1.00 per cord in the case of pulpwood shipped by barge.

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17077; Filed, Nov. 7, 1944;  
11:42 a. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**

[RMPR 271,<sup>1</sup> Amdt. 27]

**POTATOES AND ONIONS**

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*

In section 24, Tables I, II, III and IV are revoked, and a new Table I is added to read as follows:

TABLE I. WHITE POTATOES (1945 CROP)

(Maximum prices per 100 pounds for U. S. No. 1 potatoes, graded, sacked and loaded on carrier).

Period and producing area	Maximum prices per
Beginning of season—March 31:	100 lbs.
California	\$3.35
All other areas	3.95
April 1-15:	
California	2.90
Texas, Counties of Hidalgo, Cameron, Willacy	3.95
All other areas	3.80
April 16-30:	
California	2.90
Texas, Counties of Hidalgo, Cameron, Willacy	3.95
All other areas	3.60
May 1-15:	
Florida, Area north of counties of Charlotte, Glades and Martin, and East of the Suwannee River	3.40
California	2.70
All other areas	3.30
May 16-31:	
Florida, area north of counties of Charlotte, Glades and Martin and East of the Suwannee River	3.40
California	2.60
All other areas	3.00
June 1-30:	
California	2.40
All other areas	2.80

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

Approved: October 31, 1944.

GROVER B. HILL,  
Acting War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I approve the prices established therein, and find that they are necessary to aid in the effective prosecution of the war.

FRED M. VINSON,  
Economic Stabilization Director.

[F. R. Doc. 44-17076; Filed, Nov. 7, 1944;  
11:43 a. m.]

**PART 1381—SOFTWOOD LUMBER**

[MPR 253,<sup>1</sup> Amdt. 8]

**REDWOOD LUMBER AND MILLWORK**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 253 is amended in the following respects:

1. Section 1381.401 (d) is amended to read as follows:

(d) On any sale which comes within the definition of a "direct-mill retail sale" as defined in § 1381.408 (a) (8) an addition of \$2.50 per thousand board feet plus delivery charge may be made to prices under § 1381.412 Appendix A.

2. Section 1381.408 (a) (8) is amended to read as follows:

(8) "Direct-mill retail sale" means a sale of not more than 10,000 feet B. M., to any buyer who does not purchase for resale, where shipment originates at a mill and the seller:

(i) Sees that the lumber is delivered to the job-site (within a radius of 30 miles of the mill's usual loading point) at such time and in such manner as the buyer specifies;

(ii) Gives the buyer the privilege of exchanging the lumber and returning unused material; and

(iii) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

The size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries.

3. In § 1381.412, Appendix A, Table 1 (F), is amended to read as follows:

(F) CLEAR ALL HEART FOR EXPORT

Random widths	Lengths	Green	Add for dry
1" x 8" and wider	6' to 20' R/L	\$69.50	\$11.50
1 1/2" x 8" and wider	6' to 20' R/L	84.25	14.00
1 1/2" x 8" and wider	6' to 20' R/L	84.25	14.00
1 1/2" x 8" and wider	6' to 20' R/L	94.25	14.00
2" x 8" and wider	6' to 20' R/L	72.50	13.50
2 1/2" x 8" and wider	6' to 20' R/L	105.50	23.25
3" x 8" and wider	6' to 20' R/L	80.00	23.25
4" x 8" and wider	6' to 20' R/L	79.75	23.00

<sup>1</sup> 7 F.R. 9320, 10848; 8 F.R. 1139, 4136, 4720, 7197, 11479; 9 F.R. 5482.

1" and 2" thicknesses to include: Not over 20% 8"; not over 20% 10"; not less than 25% 14" and wider which shall average at least 16" on BM basis; balance 12".

1 1/4", 1 1/2", 1 3/4", 2 1/2" and thicker to include: Not over 15% 8"; not over 15% 10"; not less than 35% 14" and wider which shall average at least 16" on BM basis; balance 12".

4. In § 1381.412, Appendix A, Table 1, Footnotes 12, 13, 17, and 18 are amended, and a new footnote 33a is added, to read as follows:

12. Odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

13. Fractional widths not listed: Add \$8.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

17. Odd thicknesses not listed: Add \$5.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

18. Fractional thicknesses not listed: Add \$8.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

33a. Dunnage AW-AL, rough or surfaced, green or dry: The price is \$20.00. Use green weights green, dry weights dry.

5. In § 1381.412, Table 15, General Notes, a new Note 7 is added to read as follows:

7. Where f. o. b. mill price results in odd cents, the price must be evened out to nearest quarter-dollar per 1000 feet board measure.

6. In § 1381.413, Table 3, footnotes 9, 10, 13 and 14 are amended to read as follows:

9. Odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

10. Fractional widths not listed: Add \$8.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

13. Fractional thicknesses not listed: Add \$8.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

14. Odd thicknesses not listed: Add \$5.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

7. In § 1381.413, Table 4, footnotes 6 and 7 are amended to read as follows:

6. Odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple and figure board measure contents on the size shipped.

ure board measure contents on the size shipped.

7. Fractional widths not listed: Add \$8.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

8. In § 1381.413, Table 5, footnotes 8 and 9 are amended to read as follows:

8. Odd widths not listed: Add \$3.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

9. Fractional width not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

9. In § 1381.413, Table 6, footnotes 6, 7, 10 and 11 are amended to read as follows:

6. Odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

7. Fractional widths not listed: Add \$8.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

10. Odd thicknesses not listed: Add \$5.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

11. Fractional thicknesses not listed: Add \$8.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

10. In § 1381.413, Table 11, footnote 2 (1) is amended to read as follows:

(1) Fractional or odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

11. In § 1381.413, Table 11, footnote 3 (III) is amended to read as follows:

(III) Fractional or odd thicknesses not listed: Add \$5.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

12. In § 1381.413, Table 12, footnotes 9, 10, 11, 13 and 14 are amended to read as follows:

9. Odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

10. Fractional widths not listed: Add \$8.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

11. 1 1/4" and 1 1/2": Use 2" price.

13. Odd thicknesses not listed: Add \$5.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

14. Fractional thicknesses not listed: Add \$8.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

13. In § 1381.413, Table 13, footnotes 9, 10, 11, 13 and 14 are amended to read as follows:

9. Odd widths not listed: Add \$5.00 to the price of the next greater width listed; then increase resultant price to nearest 25¢ multiple, and figure board measure contents on the size shipped.

10. Fractional widths not listed: Add \$8.00 to the price of the next greater width listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

11. 1 1/4" and 1 1/2": Use 2" price.

13. Odd thicknesses not listed: Add \$5.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

14. Fractional thicknesses not listed: Add \$8.00 to the price of the next greater thickness listed; then increase resultant price proportionately to compensate for loss in footage; adjust result to nearest 25¢ multiple, and figure board measure contents on the size shipped.

14. In § 1381.413, Table 18 (exclusive of footnotes) is amended to read as follows:

TABLE 18—GREENHOUSE BENCH LUMBER, ROUGH OR SURFACED, 6' TO 20' RANDOM LENGTHS, PER M'BM

Size	Dry	Green
1" x 3"	\$47.50	\$50.00
1" x 4"	47.50	50.00
1" x 6"	47.50	50.00
1" x 8"	50.50	53.00
1" x 10"	51.50	54.00
1" x 12"	51.50	54.00
2" x 3"	52.50	55.00
2" x 4"	52.50	55.00
2" x 6"	52.50	55.00
2" x 8"	52.50	55.00
2" x 10"	52.50	55.00
2" x 12"	52.50	55.00

15. In § 1381.414, a new paragraph (c) is added to read as follows:

(c) On any sale involving a "non-listed" price or addition contemplated by paragraph (a) of this section, if the seller, for any reason, shall have failed to apply for approval of a maximum price under paragraph (a), the maximum price f. o. b. mill for the item sold shall be \$15.00 per thousand board feet, which maximum price shall include all allowances or additions for grade, size, condition, special workings, specifications or other extras.

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17071; Filed, Nov. 7, 1944;  
11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373, Amdt. 98]

## GARBAGE AND SWILL IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 73 is amended to read as follows:

**SEC. 73. Maximum prices for garbage and swill on the Islands of Kauai and Maui.** (a) The maximum for the sale of garbage and swill on the Islands of Kauai and Maui shall be \$2.00 per ton.

In addition, sellers of garbage may add to this amount any cost of hauling or cartage actually incurred by such seller.

(b) Garbage and swill means any refuse, accumulated or rejected animal and vegetable matter, liquid or solid, that attends the cleaning, preparation, storage, consumption, spoilage or decay of

food, and which is fit for use as feed for animals and poultry.

This amendment shall become effective as of November 1, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17072; Filed, Nov. 7, 1944;  
11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 395, Amdt. 34]

## PORK LOIN AND CHEESE IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 395 is amended in the following respects:

1. Section 22, Table IX is amended by changing Item 2 to read as follows:

TABLE IX—MAXIMUM RETAIL PRICES FOR CERTAIN MEAT OR MEAT PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Item 2 Frozen pork loin (bone-in)	1 lb.	\$0.36	\$0.36	\$0.38

2. Section 25, Table XIII is amended to read as follows:

TABLE XIII—MAXIMUM RETAIL PRICES FOR CERTAIN TYPES OF CHEESE

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Item 1 Natural American cheddar cheese	1 lb.	\$0.46	\$0.46	\$0.49

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17073; Filed, Nov. 7, 1944;  
11:44 a. m.]

## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471, Amdt. 2]

## LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 471 is amended in the following respects:

1. Section 8 (a) (13) (ii) is amended to read as follows:

(ii) If you do your own hauling by truck, automobile or wagon, the following scale of charges:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>9 F.R. 8830, 9288, 9289, 9891, 9902, 9907, 10305, 11544, 11545, 11961, 12090, 12342, 12342, 12360, 12418, 12418, 12419, 12539, 12698, 12747, <sup>2</sup>9 F.R. 8815, 9513, 9907, 10425, 11009.

If the total haul does not exceed 100 miles—3 cents per 100 pounds for the first five miles or fraction thereof plus 1 cent per 100 pounds for each additional five miles or fraction thereof.

If the haul exceeds 100 miles—the lowest carload rail rate from the rail point nearest the point of origin to the rail point nearest the point of destination, plus 8 cents per 100 pounds, or the common or contract carrier rate (where a rate is available), whichever is lowest, but not to exceed in either case 22 cents per 100 pounds plus  $\frac{1}{4}$  cent per 100 pounds for each five miles or fraction thereof over 100 miles.

In applying the above mileage scale all distances shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

Any regional office, or any district office authorized by the appropriate regional office, may adjust the delivery charge provided in this subdivision (ii) insofar as it applies to deliveries to a specified locality from any named point or points, when it appears that the nature of the haul is such that the charges otherwise permitted are, in view of the unusual local conditions, inadequate and are likely to disrupt the movement of the commodity to that locality.

2. Section 13 (c) (2) (i) is amended to read as follows:

(2) (1) \$7.00 for the following State Certified and Canadian Registered and Canadian Government Certified Improved Varieties: Baltic, Cossack, Grimm, Hardigan, Hardistan, Ladak, and Orestan.

3. The first paragraph of section 13 (h) (2) is amended to read as follows:

(2) This paragraph establishes base prices for two classes of mixtures: processed seed mixtures in which all of the seeds are subject to the regulation and processed seed mixtures composed of two or more seeds subject to the regulation when present in excess of 75% of the whole and one or more seeds not subject to the regulation.

This amendment shall become effective November 13, 1944.

Issued this 7th day of November 1944.

CHESTER BOWLES,  
Administrator.

Approved: October 31, 1944.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 44-17078; Filed, Nov. 7, 1944;  
11:43 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

## Chapter I—Interstate Commerce Commission

[S. O. 184-A]

## PART 95—CAR SERVICE

## FURNISHING OF FREIGHT CARS WITHOUT BILLS OF LADING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of November, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924, 3594, 4442, 9295, 10885) and good cause appearing therefor; *It is ordered*, That:

(a) Service Order No. 184 of March 3, 1944, 49 CFR § 95.333 prohibiting the furnishing of a freight car to any shipper for loading fresh, frozen or salted meat, packing house products or by-products unless a bill of lading for the particular car has been or will be furnished within 48 hours after such car is placed for loading, be, and it is hereby, vacated and set aside.

(b) *Announcement of vacation of suspension.* Each of the railroads affected by this order shall publish, file, and post a supplement to each of its tariffs affected announcing the vacation by this order on the effective date hereof, of the suspension made by Service Order No. 184 and stating that the provisions in said tariffs which were in effect prior to such suspension will be applied on and after the effective date of this order. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17))

*It is further ordered*, That this order shall become effective at 7:00 a. m.,

November 9, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-17046; Filed, Nov. 7, 1944;  
11:05 a. m.]

### Notices

#### FEDERAL POWER COMMISSION.

[Docket No. IT-5923]

NORTHERN STATES POWER CO. AND WILLOW RIVER POWER CO.

#### NOTICE OF APPLICATION

NOVEMBER 3, 1944.

Notice is hereby given that on October 27, 1944, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Northern States Power Company (hereinafter referred to as "Northern States"), a corporation organized under the laws of the State of Wisconsin and doing business in the States of Wisconsin and Minnesota, with its principal business office at Eau Claire, Wisconsin, and Willow River Power Company (hereinafter referred to as "Willow River"), a corporation organized under the laws of the State of Wisconsin and doing business in said State, with its principal business office at Hudson, Wisconsin, seeking an order authorizing Northern States to acquire, by merger, all of the electric properties and facilities of Willow River, including four hydro electric plants located on the Willow River, St. Croix County, Wisconsin, a diesel and a steam generating plant in the city of Hudson, St. Croix County, Wisconsin, together with the transmission and distribution system of Willow River, and the sale by the latter of said facilities to Northern States, for a consideration stated in the application to be \$840,000 in cash, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 23d day of November 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice of regulations.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 44-17044; Filed, Nov. 7, 1944;  
9:58 a. m.]

[Project 1490]

#### BRAZOS RIVER CONSERVATION AND RECLAMATION DISTRICT

#### ORDER DENYING APPLICATION FOR EXTENSION OF TIME AND GRANTING APPLICATION FOR REHEARING

NOVEMBER 3, 1944.

Upon application filed October 7, 1944, by Brazos River Conservation and Reclamation District for extension of time to comply with the Commission's order of September 12, 1944, denying exemption from payment of annual charges due under the license for Project No. 1490 for the year 1943 and requiring payment of such charges; and

Upon application filed October 21, 1944, for rehearing on the licensee's application for exemption from payment of such charges; and

It appearing that: The extension of time requested by the licensee is not necessary if the application for rehearing is granted;

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from payment of annual charges due under the license for Project No. 1490 for the year 1943;

*It is ordered, That:*

(A) The application filed October 7, 1944, for extension of time be and it is hereby denied.

(B) The application filed October 21, 1944, for rehearing be and it is hereby granted, and the order of September 12, 1944, denying exemption from payment of annual charges due under the license for Project No. 1490 for the calendar year 1943 and requiring payment of such charges in the amount of \$1,295.86 be and it is hereby stayed, pending the final determination of the application for exemption.

(C) The hearing be held on the questions presented on February 6, 1945, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-17067; Filed, Nov. 7, 1944;  
11:38 a. m.]

[Docket No. IT-5926]

#### INDIANA GENERAL SERVICE CO. AND INDIANA & MICHIGAN ELECTRIC CO.

#### NOTICE OF APPLICATION

NOVEMBER 6, 1944.

Notice is hereby given that on November 4, 1944, a joint application was filed with the Federal Power Commission, pursuant to section 203 (a) of the Federal Power Act, by Indiana General Service Company, a corporation organized under the laws of the State of Indiana and doing business in said State, with its principal business office at Marion, Indiana, and Indiana & Michigan Electric Company, a corporation organized under

the laws of the States of Indiana and doing business in the States of Indiana and Michigan, with its principal business office at South Bend, Indiana, seeking an order authorizing the consolidation and merger of all of their facilities with and into the Indiana & Michigan Electric Company, the surviving corporation; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 23d day of November 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 44-17068; Filed, Nov. 7, 1944;  
11:38 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

#### APPOINTMENT OF PERMIT AGENTS

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order:

1. R. R. Huth, Ashdown, Ark.
2. J. L. Purcell, Belzoni, Miss.
3. C. S. Dickerson, Bonneville, Miss.
4. W. W. Doke, Brownsville, Tenn.
5. J. W. Carpenter, Canton, Miss.
6. J. C. Russell, Cleveland, Miss.
7. H. C. Baker, Fort Smith, Ark.
8. D. V. Williams, Grenada, Miss.
9. C. A. Rogers, Jackson, Miss.
10. W. B. Jennings, McGehee, Ark.
11. J. D. Pleasants, Macon, Miss.
12. W. P. Miles, Magnolia, Ark.
13. D. E. Williams, Marks, Miss.
14. J. F. Choate, Monroe, La.
15. Shy Williams, Morrilton, Ark.
16. C. L. Fox, Newport, Ark.
17. G. L. Cunningham, Ripley, Tenn.
18. Bonner Whitten, Corinth, Miss.
19. R. P. Berry, Drew, Miss.
20. W. D. McCuan, Dyersburg, Tenn.
21. Burdell Sanford, Earle, Ark.
22. C. D. Burrow, England, Ark.
23. F. W. Duke, Eudora, Ark.
24. J. N. Stitts, Ruleville, Miss.
25. E. B. Johnson, Tiptonville, Tenn.
26. P. L. McElroy, Tupelo, Miss.
27. E. K. Riddick, Walnut Ridge, Ark.
28. E. P. Coleman, West Point, Miss.
29. Tom Graves, Yazoo City, Miss.
30. F. F. Cooper, Jackson, Tenn.
31. E. L. Doolittle, Marked Tree, Ark.
32. V. H. Davis, Tallulah, La.
33. R. B. Shoaf, Milan, Tenn.
34. Fritz Starmer, Portageville, Mo.
35. B. McCaa, Texarkana, Tex.
36. E. B. Kelly, Searcy, Ark.
37. J. T. Ray, Shaw, Miss.
38. W. D. Kizer, Truman, Ark.
39. J. T. Durrett, Amory, Miss.
40. N. W. Helm, Caruthersville and Hayti, Mo.
41. J. A. Sibley, Pine Bluff, Ark.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the

## FEDERAL REGISTER, Wednesday, November 8, 1944

terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17064; Filed, Nov. 7, 1944;  
11:10 a. m.]

## APPOINTMENT OF PERMIT AGENTS

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order:

- 42. E. T. Day, Little Rock, Ark.
- 43. Will Wallace, Conway, Ark.
- 44. C. V. Kimbro, Portland, Ark.
- 45. L. A. Wolfe, Union, Miss.
- 46. R. P. West, Vicksburg, Miss.
- 47. J. M. Duncan, Natchez, Miss.
- 48. H. O. Kyler, Hope, Ark.
- 49. C. E. Rundell, Winnboro, Ark.
- 50. E. N. Price, Ferriday, La.
- 51. N. E. Simmons, Rosedale, Miss.
- 52. Geo. Wright, Delhi, La.
- 53. A. J. Cook, Rayville, La.
- 54. R. B. Gunn, Meridian, Miss.
- 55. C. G. Downies, Homer, La.
- 56. M. C. Thomas, Rolling Fork, Miss.
- 57. J. H. Wall, Magnolia, Miss.
- 58. D. M. Cockrell, Hollandale, Miss.
- 59. L. E. Starr, Chattanooga, Tenn.
- 60. Sam Jones, Marianna, Ark.
- 61. John Baty, Lake Providence, La.
- 62. J. E. Thomas, West Memphis, Ark.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17063; Filed, Nov. 7, 1944;  
11:05 a. m.]

## APPOINTMENT OF PERMIT AGENTS

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order:

- 63. V. Alexander, Memphis, Tenn.
- 64. G. H. Sherman, Haynesville, La.
- 65. S. P. Hughes, Ruston, La.

- 66. S. D. Hall, Shreveport, La.
- 67. O. L. Pool, Natchitoches, La.
- 68. L. J. Parr, Alexandria, La.
- 69. B. L. Pinckley, Bunkie, La.
- 70. George C. Causey, Greenville, Miss.
- 71. C. H. Fugate, Brookhaven, Miss.
- 72. G. A. Armstrong, Kennett, Mo.
- 73. A. J. Matthews, Malden, Mo.
- 74. W. R. Davis, Charleston, Mo.
- 75. Medford O'Neal, Batesville, Ark.
- 76. L. T. Collins, Hughes, Ark.
- 77. J. J. White, Helena, Ark.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17065; Filed, Nov. 7, 1944;  
11:10 a. m.]

[S. O. 70-A, Special Permit 652]

## RECONSIGNMENT OF PEARS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 2, 1944, by Auster Company, of car SFRD 19718, pears, now on the Chicago and North Western Railroad, to Market Dealers Service, Detroit, Michigan (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17048; Filed, Nov. 7, 1944;  
11:05 a. m.]

[S. O. 70-A, Special Permit 653]

## RECONSIGNMENT OF APPLES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, November 2, 1944, by D. O. Williams Company, Inc., of car NWX 4624, apples, now on the Wabash Railroad, to Kansas City, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17049; Filed, Nov. 7, 1944;  
11:06 a. m.]

[S. O. 70-A, Special Permit 654]

## RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 2, 1944, by Bacon Brothers, of car FGE 46331, potatoes, now on the Wood Street Terminal, to H. J. Heifaber, Dayton, Ohio (B&O).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17050; Filed, November 7, 1944;  
11:06 a. m.]

[S. O. 70-A, Special Permit 655]

RECONSIGNMENT OF POTATOES AT CHICAGO,  
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 2, 1944, by National Produce Company, of car BRE 74489, potatoes, now on the Wood Street Terminal, to E. J. Seeman, Brownsville, Tennessee (C&EI-L&N).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17051; Filed, Nov. 7, 1944;  
11:06 a. m.]

[S. O. 70-A, Special Permit 656]

RECONSIGNMENT OF TOMATOES AT CHICAGO,  
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 2, 1944, by Riley McFarland, of car PFE 74628, tomatoes, now on the Chicago Produce Terminal, to F. J. Davidson, Washington, D. C. (P. R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17052; Filed, Nov. 7, 1944;  
11:06 a. m.]

[S. O. 70-A, Special Permit 657]

RECONSIGNMENT OF POTATOES AT CHICAGO,  
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 2, 1944, by M. W. Frizzell, of car FGE 36538, potatoes, now on the Wood Street Terminal, to Mandel Brothers, Cincinnati, Ohio (P. R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17053; Filed, Nov. 7, 1944;  
11:06 a. m.]

[S. O. 70-A, Special Permit 658]

RECONSIGNMENT OF ONIONS AT KANSAS  
CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, November 3, 1944, by Piowaty Bergart of car WFE 60729, onions, now on the Santa Fe to C. B. Rains, Louisville, Kentucky (SFE-B/4).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17054; Filed, Nov. 7, 1944;  
11:06 a. m.]

[S. O. 70-A, Special Permit 659]

RECONSIGNMENT OF TOMATOES AT  
COUNCIL BLUFFS, IOWA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Council Bluffs, Iowa, November 3, 1944, by Gust Relias Company of car FGE 36435, tomatoes, now on the Union Pacific Railroad to Gust Relias, Chicago, Illinois (C&NW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17055; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 70-A, Special Permit 660]

RECONSIGNMENT OF GRAPES AT PITTSBURGH,  
PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Pittsburgh, Pa., November 3, 1944, by O'Donnell Fruit Company of car SFRD 21122, grapes, now on the P. R. R. to American Stores, Johnstown, Pa. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17056; Filed, Nov. 7, 1944;  
11:07 a. m.]

## FEDERAL REGISTER, Wednesday, November 8, 1944

[S. O. 70-A, Special Permit 661]

## RECONSIGNMENT OF CELERY AT KANSAS CITY, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, November 3, 1944, by Associated Fruit Distributors of car PFE 97460, celery, now on the Union Pacific Railroad to C. H. Robinson Company, Minneapolis, Minnesota (UP-CRI&P).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17057; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 70-A, Special Permit 662]

## RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 2, 1944, by E. E. Walter (PFE) of car PFE 51155, lettuce, now on the C&NW to Karnofskys, Wilkes Barre, Pa. (LV).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17058; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 70-A, Special Permit 663]

## RECONSIGNMENT OF POTATOES AT BAY CITY, MICH.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Bay City, Michigan, November 3, 1944, by New York Central System (Chicago, Illinois) of car WFE 63577, potatoes, now on the New York Central to J. R. Figg Wholesale Grocery, Bloomington, Indiana (NYC-CIL).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17059; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 70-A, Special Permit 664]

## RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 3, 1944, by Harry Finerman of car PFE 73674, carrots, now on the C&NW Morgan Street T. T. to Ben Post, Milwaukee, Wisconsin. (CNW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17060; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 70-A, Special Permit 665]

## RECONSIGNMENT OF PEPPERS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 3, 1944, by La Mantia Bros. Arrigo of car ART 16212, peppers, now on the Wabash Railroad to La Mantia Bros., New York, N. Y. (NYC).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17061; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 70-A, Special Permit 666]

## RECONSIGNMENT OF GRAPES AT INDIANAPOLIS, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Indianapolis, Indiana, November 3, 1944, by Associated Fruit Distributors of California of car MDT 16668, grapes, now on the B/4 to W. F. Collier Company, Washington, D. C. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17062; Filed, Nov. 7, 1944;  
11:07 a. m.]

[S. O. 251]

## LUMBER AT CEDAR RAPIDS, IOWA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of November, A. D. 1944.

It appearing, that cars CN 505586, B&O 106375 and AT&SF 123495, containing lumber at Cedar Rapids, Iowa, on the Chicago and North Western Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; It is ordered, that:

*Lumber at Cedar Rapids, Iowa, be unloaded.* (a) The Chicago and North Western Railway Company, its agents or employees, shall unload forthwith cars CN 505586, B&O 106375 and AT&SF 123-495, containing lumber, on hand at Cedar Rapids, Iowa, consigned to Loftus Manufacturing Company.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of lumber have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Chicago and North Western Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-17047; Filed, Nov. 7, 1944;  
11:05 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4033]

## COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

In re: Copyright interests held by certain foreign-nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name and last known address is listed in Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident of, or if a business organization is organized under the laws of and is a national of the foreign country appearing opposite his or its respective name;

2. Finding that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the compositions described in the assignments registered in the Copyright Office on the dates stated and on the respective books and pages described in said Exhibit A, held by the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A.

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing.

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing.

d. All rights of reversion or vesting, if any, in any or all of the foregoing, and

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing.

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2 to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

## Names and Addresses of Individuals and Companies Holding Interests Under Copyrights, Date of Entry, Book and Page

Przedstawicielstwo Wydawnictw Polskich, Nov. 26, 1940, 450, 140-144.

Przedstawicielstwo Wydawnictw Polskich, (P. W. P.), Warsaw, Poland, Jan. 7, 1939, 408, 135.

J. Altschuler, Warsaw, Poland, Apr. 21, 1939, 415, 90.

Editions "Olympia", Warsaw, Poland, Jan. 7, 1939, 408, 137-138.

Pro-Arte, Lwow, Poland, Jan. 7, 1939, 408, 136.

M. Arct, Warsaw, Poland, Jan. 7, 1939, 408, 141-142.

M. Arct, Warsaw, Poland, Sept. 19, 1939, 423, 234-235.

M. Arct, Warsaw, Poland, Oct. 11, 1939, 425, 65-65a.

M. Arct, Warsaw, Poland, Mar. 4, 1940, 433, 190.

Gebethner & Wolff, Warsaw, Poland, Mar. 4, 1940, 433, 187.

Gebethner & Wolff, Warsaw, Poland, Sept. 19, 1939, 423, 231.

Gebethner & Wolff, Warsaw, Poland, Apr. 21, 1939, 415, 94.

F. Grabczewski, Warsaw, Poland, June 13, 1941, 463, 117.

F. Grabczewski, Warsaw, Poland, Sept. 2, 1941, 467, 99.

F. Grabczewski, Warsaw, Poland, Jan. 7, 1939, 408, 132.

F. Grabczewski, Warsaw, Poland, Sept. 19, 1939, 423, 233.

F. Grabczewski, Warsaw, Poland, Oct. 11, 1939, 425, 62.

F. Grabczewski, Warsaw, Poland, Mar. 4, 1940, 433, 189.

Leon Idzikowski, Warsaw, Poland, Oct. 11, 1939, 425, 60.

Leon Idzikowski, Warsaw, Poland, June 14, 1939, 418, 121.

Leon Idzikowski, Warsaw, Poland, Apr. 21, 1939, 415, 89.

Nowa Scena, Warsaw, Poland, Oct. 11, 1939, 425, 61.

Nowa Scena, Warsaw, Poland, Mar. 4, 1940, 433, 188.

Nowa Scena, Warsaw, Poland, Sept. 19, 1939, 423, 232.

Nowa Scena, Warsaw, Poland, Jan. 7, 1939, 408, 143-144.

Nowa Scena, Warsaw, Poland, Apr. 21, 1939, 415, 93.

"Jastrzab", Warsaw, Poland, Oct. 11, 1939, 425, 58.

"W. J. R.", Warsaw, Poland, Oct. 11, 1939, 425, 59.

Warszawskie Towarzystwo Muzyczne, Warsaw, Poland, Mar. 4, 1940, 433, 191.

J. Altschuler, Warsaw, Poland, May 7, 1937, 372, 124.

J. Altschuler, Warsaw, Poland, Nov. 17, 1937, 386, 99.

J. Altschuler, Warsaw, Poland, Oct. 2, 1937, 383, 29.

K. T. Barwicki, Posen, Poland, Nov. 24, 1937, 386, 204.

Zygmunt Pomaranski, Warsaw, Poland, Nov. 24, 1937, 386, 205.

Editions "Pro-Arte", Warsaw, Poland, Nov. 17, 1937, 386, 100.

"Pro-Arte", Lwow, Poland, July 14, 1937, 376, 112-113.

G. Seyfarth, Lwow, Poland, Nov. 24, 1937, 386, 206.

G. Seyfarth, Lwow, Poland, Mar. 19, 1937, 367, 228.  
 G. Seyfarth, Lwow, Poland, July 14, 1937, 376, 107.  
 M. Arct, Warsaw, Poland, Oct. 25, 1934, 321, 268.  
 M. Arct, Warsaw, Poland, Jan. 3, 1935, 324, 204.  
 M. Arct, Warsaw, Poland, Jan. 24, 1935, 326, 218.  
 M. Arct, Warsaw, Poland, Nov. 24, 1937, 386, 208.  
 M. Arct, Warsaw, Poland, June 4, 1935, 332, 209.  
 M. Arct, Warsaw, Poland, July 26, 1935, 335, 49.  
 M. Arct, Warsaw, Poland, Nov. 12, 1935, 340, 63.  
 M. Arct, Warsaw, Poland, Apr. 18, 1936, 348, 231.  
 M. Arct, Warsaw, Poland, Sept. 9, 1937, 381, 183.  
 M. Arct, Warsaw, Poland, June 4, 1936, 351, 231.  
 M. Arct, Warsaw, Poland, July 14, 1936, 354, 114.  
 M. Arct, Warsaw, Poland, Sept. 30, 1936, 358, 145.  
 M. Arct, Warsaw, Poland, Mar. 19, 1937, 367, 229.  
 M. Arct, Warsaw, Poland, June 16, 1937, 375, 13.  
 M. Arct, Warsaw, Poland, Oct. 2, 1937, 383, 31.  
 M. Arct, Warsaw, Poland, July 14, 1934, 317, 260.  
 M. Arct, Warsaw, Poland, Jan. 21, 1935, 389, 168.  
 Gebethner & Wolff, Warsaw, Poland, July 7, 1938, 399, 91.  
 Gebethner & Wolff, Warsaw, Poland, Oct. 2, 1937, 383, 33.  
 Gebethner & Wolff, Warsaw, Poland, Mar. 19, 1937, 367, 226.  
 Gebethner & Wolff, Warsaw, Poland, Sept. 30, 1936, 358, 144.  
 Gebethner & Wolff, Warsaw, Poland, June 26, 1938, 353, 97.  
 Gebethner & Wolff, Warsaw, Poland, June 4, 1936, 351, 230.  
 Gebethner & Wolff, Warsaw, Poland, Apr. 4, 1936, 348, 19.  
 Gebethner & Wolff, Warsaw, Poland, Nov. 12, 1935, 340, 64.  
 Gebethner & Wolff, Warsaw, Poland, July 26, 1935, 335, 48.  
 Gebethner & Wolff, Warsaw, Poland, June 4, 1935, 332, 208.  
 Gebethner & Wolff, Warsaw, Poland, Jan. 24, 1935, 326, 219.  
 F. Grabczewski, Warsaw, Poland, June 4, 1935, 332, 210.  
 F. Grabczewski, Warsaw, Poland, Apr. 4, 1936, 348, 17.  
 F. Grabczewski, Warsaw, Poland, June 4, 1936, 351, 233.  
 F. Grabczewski, Warsaw, Poland, Sept. 30, 1936, 358, 146.  
 F. Grabczewski, Warsaw, Poland, March 10, 1937, 367, 130.  
 "W. J. R.", Warsaw, Poland, May 7, 1937, 372, 123.  
 I. Rzepecki, Warsaw, Poland, July 14, 1937, 376, 111.  
 I. Rzepecki, Warsaw, Poland, May 7, 1937, 372, 121.  
 I. Rzepecki, Warsaw, Poland, Mar. 19, 1937, 367, 225.  
 Warszawskie Towarzystwo Muzyczne, Warsaw, Poland, Aug. 6, 1937, 377, 132.  
 Warszawskie Towarzystwo Muzyczne, Warsaw, Poland, Nov. 24, 1937, 386, 209.  
 Alfred Thorsings Musikforlag, Copenhagen, Denmark, Nov. 5, 1936, see assignment.  
 Alfred Thorsings Musikforlag, Copenhagen, Denmark, Dec. 2, 1938, see assignment.  
 Wilhelm Hansen, Copenhagen, Denmark, May 2, 1935, 331, 41.  
 F. Grabczewski, Warsaw, Poland, May 7, 1937, 372, 122.  
 F. Grabczewski, Warsaw, Poland, June 16, 1937, 375, 12.

F. Grabczewski, Warsaw, Poland, Oct. 2, 1937, 383, 30.  
 F. Grabczewski, Warsaw, Poland, Nov. 24, 1937, 386, 207.  
 Leon Idzikowski, Warsaw, Poland, Aug. 6, 1937, 377, 131.  
 Leon Idzikowski, Warsaw, Poland, May 7, 1937, 372, 126.  
 Leon Idzikowski, Warsaw, Poland, June 4, 1936, 351, 232.  
 Leon Idzikowski, Warsaw, Poland, July 14, 1936, 354, 113.  
 Leon Idzikowski, Warsaw, Poland, Mar. 17, 1936, 347, 8.  
 Leon Idzikowski, Warsaw, Poland, Nov. 12, 1935, 340, 65.  
 Leon Idzikowski, Warsaw, Poland, Nov. 17, 1937, 386, 98.  
 Leon Idzikowski, Warsaw, Poland, Dec. 5, 1938, 406, 101-102.  
 Nowa Scena, Warsaw, Poland, May 11, 1938, 396, 57.  
 Nowa Scena, Warsaw, Poland, Oct. 2, 1937, 383, 34-35.  
 Nowa Scena, Warsaw, Poland, Sept. 30, 1936, 358, 143.  
 Nowa Scena, Warsaw, Poland, Mar. 2, 1935, 328, 193.  
 Nowa Scena, Warsaw, Poland, Mar. 19, 1937, 367, 227.  
 Nowa Scena, Warsaw, Poland, Sept. 6, 1935, 336, 234.  
 Nowa Scena, Warsaw, Poland, Oct. 25, 1934, 321, 269.  
 Nowa Scena, Warsaw, Poland, July 14, 1934, 317, 259.  
 Nowa Scena, Warsaw, Poland, Nov. 20, 1935, 340, 191.  
 Nowa Scena, Warsaw, Poland, Apr. 4, 1936, 348, 18.  
 Nowa Scena, Warsaw, Poland, June 4, 1936, 351, 234.  
 Nowa Scena, Warsaw, Poland, July 14, 1937, 376, 106.  
 "Jastrzab," Warsaw, Poland, May 7, 1937, 372, 127.  
 [F. R. Doc. 44-17066; Filed, Nov. 7, 1944; 11:11 a. m.]

(1) *Brisa hat bodies.* The following are the maximum prices, f. a. s. Guayaquil, Ecuador (or f. o. b. Cuenca, Ecuador, where purchase is made on those terms), which importers may pay per dozen for natural Brisa hat bodies of the specified grades and qualities:

Grade	Minimum strand count	Maximum price
1	13	\$10.50
2	14	11.25
3	15	12.25
4	17	13.00
5	18	14.50
6	19	18.25
7	20	24.50
8	22	30.00
9	23	35.50
10	24	41.00
11	25	46.50
12	26	56.25

*Strand count.* The grade of the hat body depends entirely upon the coarseness or fineness of the fibres which, assuming standard weaving, determines the strand count, referred to above. No hat body may be classified as of a stated grade unless the strand count equals the minimum count specified above for the particular grade. The strand count shall be determined for each hat body by taking the average of the number of strands of straw in each direction contained in a one-inch square whose center is exactly half way between the tip of the crown and the point where the brim joins the crown.

*Regulares.* The maximum prices stated above are for the quality known as "regulares". Hat bodies of this classification must be evenly and firmly woven, with standard tightness, from good-quality straw of substantially uniform thickness and coloration and must in all other respects conform to the standards ordinarily followed by the trade for this class of hat bodies.

*Selectos.* Importers may pay maximum prices, f. a. s. Guayaquil, Ecuador (or f. o. b. Cuenca, Ecuador, where purchase is made on those terms) for natural Brisa "selectos" which are 10% higher than the prices listed above for "regulares" except that the 10% differential shall not apply to grades 7 to 12, inclusive. Hat bodies classified as "selectos" must be of first quality in all respects, having no defects or irregularities in weave or coloration, and must otherwise conform to accepted standards of the trade for "selectos".

*Inferiors.* The maximum prices f. a. s. Guayaquil, Ecuador (or f. o. b. Cuenca, Ecuador, where purchase is made on those terms) which importers may pay for natural Brisa "inferiors" (also known as "communes" or "rejects") are 15% less than the prices listed above for "regulares". Hat bodies must be classified as "inferiors" if they are unevenly woven or if they contain broken, frost-bitten or discolored straw or other defects or irregularities which would have prevented their being marketed as "regulares" according to trade practices heretofore prevailing.

(2) *Hat bodies other than Brisa.* The maximum prices, f. a. s. Guayaquil,

#### OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 56]

##### PANAMA HAT BODIES IMPORTED FROM ECUADOR

###### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which an importer may purchase Panama hat bodies made in Ecuador and also maximum prices at which, and maximum markups, commissions or other charges for which, any other person may buy or sell such Panama hat bodies. It supersedes Sections 3 and 4 of the Maximum Import Price Regulation and any other provision thereof with which it is inconsistent but in other respects the Maximum Import Price Regulation (including the definitions in section 6) remains applicable.

(b) *Importers' maximum purchase prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, no importer shall buy or take delivery of any Panama hat body, produced in Ecuador, at a price in excess of the maximum price stated below.

Ecuador (or f. o. b. Cuenca, Ecuador, where purchase is made on those terms) which importers may pay for hat bodies produced in Ecuador, other than natural Brisa hat bodies, are the highest prices paid by the same importer for the same type, grade and quality of hat body, f. a. s. Guayaquil, Ecuador (or f. o. b. Cuenca, Ecuador, where purchase is made on those terms) during the thirty days prior to August 20, 1943, plus 20%. If the importer did not purchase a hat body of the same grade and quality during that period, but did purchase one of the same type (for example, Cuenca, Jamaica, or Leghorn weave, as the case may be), his maximum purchase price is the highest price which he paid for the different grade or quality, adjusted so as to reflect customary price differentials between the two grades and qualities, plus 20%. If the importer did not purchase a hat body of the same type during the above-stated period, his maximum purchase price is the highest price which the seller in Ecuador charged a purchaser of the same class during that period, or in the absence of such a purchase, the seller's firm offering price on August 20, 1943, for a hat body of the same type, grade and quality, plus 20% in either case.

(c) *Importers' maximum selling prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, no importer, agent, broker or other person in Continental United States shall sell or deliver and no person other than the importer shall buy or take delivery of any Panama hat body, produced in Ecuador, at a price in excess of the maximum price computed as stated below:

(1) *Sales from stock.* Where the seller makes delivery from stock which he has previously taken into his own place of business in this country and which he has sorted and graded, his maximum selling price, delivered to his customer, is 117% of the total landed cost (not exceeding the importer's maximum purchase price provided above in paragraph (b) plus expenses of importation as allowed in computing total landed cost under section 6 of the Maximum Import Price Regulation).

(2) *Sales other than from stock.* Where the seller (whether importer, agent, broker or other person) does not make delivery from stock, as required above, his maximum selling price, f. o. b. port of entry, is the total landed cost (as defined above) plus a markup, commission or other charge equal to 75% of the percentage markup, commission or other charge, based on cost, customarily charged by the seller in March, 1942 on sales to the same class of purchaser, but in no event exceeding 7½%.

(d) *Brokers' and agents' commissions.* The importer's maximum buying prices established above include and shall not be increased by any commission, fee or other consideration paid to any broker or to any buying or selling agent outside Continental United States.

(e) *Application for exception.* Any hat manufacturer who, prior to June 19, 1944, had entered into a firm contract for the purchase from the seller in Ecuador

of Panama hat bodies at prices in excess of those permitted by this order, may file an application with the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for permission to complete such contract at contract prices. Such permission will be granted where and to the extent that the hat manufacturer is irrevocably committed for specific quantities of specific types and grades of hat bodies at specific prices which reasonably reflected market prices prevailing at the date of purchase. Such permission will not be granted for importation after March 1, 1945.

(f) *Invoices to show grades.* Every invoice rendered by any seller in Continental United States for any natural Brisa Panama hat bodies subject to this order must identify the hat bodies by the grades described above in paragraph (b) (1) and must specify whether they are regulares, selectos or inferiores. Sellers of other Panama hat bodies subject to this order must likewise identify such hat bodies on their invoices in terms of the same types, grades, qualities and other standards as they have heretofore used in identifying such hat bodies.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective November 8, 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17070; Filed, Nov. 7, 1944;  
11:42 a. m.]

#### Regional and District Office Orders. LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on November 3, 1944.

#### REGION I

Augusta Order 1-F, Amendment 18, covering fresh fruits and vegetables in Portland, South Portland, and Westbrook, Maine, filed 2:10 p. m.

Augusta Order 1-W, Amendment 4, covering community food prices in Augusta, Maine, filed 2:10 p. m.

Augusta Order 18, Amendment 7, covering dry groceries in Augusta, filed 2:10 p. m.

#### REGION II

Baltimore Order 4-F, Amendment 10, covering fresh fruits and vegetables in the Baltimore, Md., area, filed 3:18 p. m.

Baltimore Order 4-F, Amendment 9, covering fresh fruits and vegetables in the Baltimore, Md., area, filed 3:24 p. m.

Baltimore Order 6-F, Amendment 10, covering fresh fruits and vegetables in the Hagerstown, Md., area, filed 3:18 p. m.

Baltimore Order 6-F, Amendment 9, covering fresh fruits and vegetables in the Hagerstown, Md., area, filed 3:23 p. m.

Binghamton Order 2-F, Amendment 7, covering fresh fruits and vegetables in certain counties in New York, filed 3:29 p. m.

Binghamton Order P-1, Amendment 6, covering fresh fish and seafood in certain counties in the State of New York, filed 3:23 p. m.

Camden Order 3-F, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of New York, filed 2:14 p. m.

Camden Order 4-F, Amendment 1, covering fresh fruits and vegetables in Atlantic and Cape May Counties, N. J., filed 2:13 p. m.

Camden Order 3-F, Amendment 1, covering fresh fruits and vegetables in certain counties in New Jersey, filed 2:14 p. m.

Camden Order 4-F, Amendment 2, covering fresh fruits and vegetables in Atlantic and Cape May Counties, N. J., filed 2:14 p. m.

Scranton Order 4-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 2:13 p. m.

Scranton Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 2:13 p. m.

Trenton Order 7-F, Amendment 8, covering fresh fruits and vegetables in Middlesex, Mercer, and Monmouth Counties, filed 3:26 p. m.

Williamsport Order 2-F, Amendment 9, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 3:18 p. m.

Wilmington Order 4-F, Amendment 9, covering fresh fruits and vegetables in certain counties in the State of Delaware, filed 3:29 p. m.

#### REGION III

Columbus Order 3-F, Amendment 47, covering fresh fruits and vegetables in Columbus, Ohio, filed 3:23 p. m.

Escanaba Order 36, Amendment 1, covering community food prices in Gogebic, Iron, and Michigan Counties in Wisconsin, filed 2:19 p. m.

Escanaba Order 36, Amendment 2, covering community food prices in Gogebic, Michigan and Iron County, Wisconsin, filed 2:19 p. m.

Lexington Order 1-F, Amendment 54, covering fresh fruits and vegetables in Fayette County, Ky., filed 3:17 p. m.

Lexington Order 2-F, Amendment 48, covering fresh fruits and vegetables in Kenton and Campbell Counties, Ky., filed 3:18 p. m.

Lexington Order 3-F, Amendment 45, covering fresh fruits and vegetables in Boyd County, Ky., filed 3:17 p. m.

Louisville Order 4-F under 3-B, Amendment 7, covering fresh fruits and vegetables in certain counties in Kentucky, filed 2:11 p. m.

Louisville Order 5-F under 3-B, Amendment 7, covering fresh fruits and vegetables in certain counties in Kentucky, filed 2:11 p. m.

Louisville Order 6-F under 3-B, Amendment 7, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 2:11 p. m.

Louisville Order 7-F under 3-B, Amendment 7, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 2:11 p. m.

Indianapolis Order 1-C, covering community poultry prices in the Indianapolis district, filed 3:23 p. m.

#### REGION IV

Atlanta Order 3-W, Amendment 2, covering community food prices in the Atlanta area, filed 2:21 p. m.

Birmingham Order 18, covering community food prices in the Birmingham area, filed 2:19 p. m.

Jackson Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Mississippi, filed 2:15 p. m.

Jacksonville Order 9-F, Amendment 2, covering fresh fruits and vegetables in the Jacksonville, Fla., area, filed 2:19 p. m.

Memphis Order 6-W, Amendment 3, covering community food prices in Memphis, Tenn., filed 2:21 p. m.

Memphis Order 7-W, Amendment 3, covering community food prices in Memphis, Tenn., filed 2:20 p. m.

Memphis Order 19, Amendment 5, covering community food prices in Memphis, Tenn., filed 2:20 p. m.

Memphis Order 20, Amendment 5, covering community food prices in Memphis, Tenn., filed 2:20 p. m.

Roanoke Order 6-F, covering fresh fruits and vegetables in Roanoke, Va., filed 3:28 p. m.

Roanoke Order 7-F, covering fresh fruits and vegetables in Roanoke, Va., filed 2:12 p. m.

Roanoke Order 8-F, covering fresh fruits and vegetables in Roanoke, Va., filed 3:29 p. m.

Roanoke Order 9-F, covering fresh fruits and vegetables in certain counties in Virginia, filed 3:28 p. m.

Roanoke Order 10-F, covering fresh fruits and vegetables in certain counties in Virginia, filed 3:28 p. m.

#### REGION V

Dallas Order 3-F, Amendment 26, covering fresh fruits and vegetables in Dallas, filed 3:27 p. m.

Shreveport Order 2-F, Amendment 37, covering fresh fruits and vegetables in Shreveport, La., filed 2:18 p. m.

Shreveport Order 3-F, Amendment 26, covering fresh fruits and vegetables in Shreveport, La., filed 2:18 p. m.

Shreveport Order G-13, Amendment 5, covering food prices in Shreveport, La., filed 2:14 p. m.

Shreveport Order G-14, Amendment 6, covering community food prices in Shreveport, La., filed 2:14 p. m.

Wichita Order 4-F, Amendment 18, covering fresh fruits and vegetables in Wichita, Kans., filed 2:15 p. m.

#### REGION VI

Chicago Order 3-W, covering certain dry groceries in Chicago, Ill., filed 2:12 p. m.

Des Moines Order 1-F, Amendment 40, covering fresh fruits and vegetables in Des Moines, Iowa, filed 2:17 p. m.

Peoria Order 2-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Illinois, filed 2:17 p. m.

Peoria Order 2-F, Amendment 26, covering fresh fruits and vegetables in certain counties in Illinois, filed 3:16 p. m.

Peoria Order 3-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Illinois, filed 2:18 p. m.

Peoria Order 3-F, Amendment 26, covering fresh fruits and vegetables in certain counties in Illinois, filed 3:16 p. m.

Peoria Order 4-F, Amendment 20, covering fresh fruits and vegetables in McLean County, Ill., filed 2:17 p. m.

Peoria Order 4-F, Amendment 21, covering fresh fruits and vegetables in McLean County, Ill., filed 3:16 p. m.

Peoria Order 5-F, Amendment 8, covering fresh fruits and vegetables in Knox County, Ill., filed 2:18 p. m.

Peoria Order 5-F, Amendment 9, covering fresh fruits and vegetables in Knox County, Ill., filed 3:16 p. m.

Sioux Order 2-F, Amendment 42, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebr., filed 3:17 p. m.

Springfield Order 1-FS, Amendment 14, covering fresh fruits and vegetables in Sangamon County, Ill., filed 2:12 p. m.

Springfield Order 1-FS, Amendment 15, covering fresh fruits and vegetables in Sangamon County, Ill., filed 3:17 p. m.

#### REGION VII

Wyoming Order 1-F, Amendment 12, covering fresh fruits and vegetables in Cheyenne County, Wyo., filed 3:15 p. m.

Wyoming Order 2-F, Amendment 10, covering fresh fruits and vegetables in Laramie County, Wyo., filed 3:15 p. m.

Wyoming Order 3-F, Amendment 9, covering fresh fruits and vegetables in Casper County, Wyo., filed 3:15 p. m.

Wyoming Order 4-F, Amendment 9, covering fresh fruits and vegetables in Sheridan County, Wyo., filed 3:16 p. m.

Wyoming Order 5-F, Amendment 8, covering fresh fruits and vegetables in Rock Springs County, Wyo., filed 3:15 p. m.

#### REGION VIII

Los Angeles Order 1-F, Amendment 39, covering fresh fruits and vegetables in the Los Angeles area, filed 3:26 p. m.

Los Angeles Order LA-5, Amendment 22, covering community food prices in the Los Angeles area, filed 2:17 p. m.

Los Angeles Order LA-6, Amendment 22, covering community food prices in the San Bernardino-Riverside Area, Calif., filed 2:17 p. m.

Los Angeles Order LA-7, Amendment 22, covering community food prices in the Santa Barbara-Ventura Area, Calif., filed 2:16 p. m.

Los Angeles Order LA-8, Amendment 22, covering community food prices in the San Luis Obispo area, filed 2:16 p. m.

Los Angeles Order LA-10, Amendment 11, covering community food prices in the Los Angeles area, filed 2:15 p. m.

Nevada Order 3-P, covering prices for poultry in the White Pine and Elko Counties, filed 3:27 p. m.

Nevada Order 4-P, covering prices for poultry in certain counties in Nevada, filed 3:26 p. m.

Phoenix Order 4-F, Amendment 26, covering fresh fruits and vegetables in Tucson, filed 2:10 p. m.

Portland Order 3-F, Amendment 6, covering fresh fruits and vegetables in Portland, Oreg., filed 3:15 p. m.

Sacramento Order 2-P, covering fresh fish and seafood in the Stockton-Marysville area, filed 2:08 p. m.

Sacramento Order 3-P, covering fresh fish and seafood in the Chico-Red Bluff area, filed 2:08 p. m.

Sacramento Order 4-P, covering fresh fish and seafood in the Redding area, filed 2:08 p. m.

Sacramento Order 1-P, covering fish and seafood in the Sacramento area, filed 2:09 p. m.

San Francisco Order 0-1, covering retail prices for eggs, in certain counties in California, filed 2:08 p. m.

San Francisco Order 1-W, Amendment 2, covering community ceiling prices in San Francisco, Calif., filed 2:10 p. m.

Seattle Order 6-F, covering fresh fruits and vegetables in Seattle, filed 3:19 p. m.

Seattle Order 7-F, covering fresh fruits and vegetables in Seattle, filed 3:19 p. m.

Seattle Order 8-F, covering fresh fruits and vegetables in Seattle, filed 3:21 p. m.

Seattle Order 10-F, covering fresh fruits and vegetables in Seattle, filed 3:21 p. m.

Seattle Order 13-F, covering fresh fruits and vegetables in Seattle, filed 3:22 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-17069; Filed, Nov. 7, 1944;  
11:42 a. m.]

#### SELECTIVE SERVICE SYSTEM.

[Operations Order 32]

##### NONDECLARANT ALIEN REFUGEES

##### ORDER RELIEVING FROM LIABILITY

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

That nondeclarant alien refugees who enter the United States under the au-

thority of Executive Order 9417 of January 22, 1944 and the cablegram of June 9, 1944 from the President to Mr. Robert Murphy in Algiers, but not under the Immigration Laws, and who are maintained and supervised at Fort Ontario, New York, by the War Relocation Authority are hereby specified as persons in a category not required to be registered under section 2 and as persons to be relieved from liability for training and service under section 3 (b) of the Selective Training and Service Act of 1940, as amended, so long as such persons shall be segregated from the general public and in actual custody under the supervision of a governmental authority duly designated to maintain such segregation and custody. In view of the fact that such refugees will be in custody, they will not be required to have identification cards to show the exemption.

LEWIS B. HERSHEY,  
Director.

NOVEMBER 6, 1944.

[F. R. Doc. 44-17040; Filed, Nov. 6, 1944;  
3:20 p. m.]

#### WAR MANPOWER COMMISSION.

PATERSON, N. J., AREA

##### EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Paterson, New Jersey, War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective September 17, 1943 and amended January 18, 1944, April 1, 1944 and July 1, 1944.

Sec.

1. Control of hiring and solicitation of workers.
2. Maximum standards.
3. Existing contracts.
4. Advertising.
5. Advance notice of lay-offs.
6. Limited statements of availability.
7. Request to remain on or return to a job.
8. Employment ceiling and priority referral.
9. Definitions.

In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the War Manpower Commission for the Paterson area, which comprises all of Passaic County, all of Bergen County except Lyndhurst Township and North Arlington Borough; northern Hudson County which includes the following municipalities: Guttenberg, North Bergen, Secaucus, Union City, Weehawken, West New York; all of Morris County; all of Sussex County; the following civil divisions of Somerset County: Bernards Township and Bernardsville; the following townships of Warren County: Allamuchy, Blairstown, Frelinghuysen, Hardwick, Pahaquarry, and the following communities: Dunnfield, Johnsonburg, Marksboro, Millbrook, Pauline, and Vails; with the concurrence of the Area War Manpower Committee, pursuant to the authority granted by the Regional Director of Region III and War Manpower Com-

mission Regulation 7, hereby establishes the following plan for the Paterson area with respect to the stabilization of employment throughout the region.

**SECTION 1. Control of hiring and solicitation of workers.** All hiring and solicitation of workers in, or for work in, the Paterson area shall be conducted in accordance with the provisions of this employment stabilization plan, and of the employment ceiling and priority referral plan effective July 1, 1944.

**SEC. 2. Minimum standards—(a) General.** A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission or is hired with its consent, as provided herein.

**(b) Issuance of statements of availability by employers.** An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wages in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

**(c) Issuance of statements of availability by United States Employment Service.** (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in paragraph (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the

employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continued his non-compliance after such finding.

**(d) Referral in case of under-utilization.** If an individual is employed at less than full time or at a job which does not utilize his highest skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

**(e) Workers who may be hired only upon referral by the United States Employment Service.** A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service. However, a new employee whose last regular employment was in agriculture and who is to be hired for non-agricultural work, shall not be referred to non-agricultural work, except after consultation with a designated representative of the War Food Administration; but such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

**(f) Exclusion.** No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "Last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by the foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the re-hiring of a school teacher for teaching at the termination of the vacation period.

**(g) Appeals.** Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

**(h) Content of statements of availability.** A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

**(i) Solicitation of workers.** No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

**(j) Hiring.** The decision to hire or refer a worker shall be based on qualifications essential for performance or a suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

**(k) Representation.** Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

**(l) General referral policies.** No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

**SEC. 3. Existing contracts.** Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

**SEC. 4. Advertising.** Employer's advertisements for employees are required to meet the following conditions:

(a) Indicate clearly that employees now employed in essential activity can not be considered without statements of availability.

(b) The name of the advertising employer must be included in any advertisement which does not include reference to the use of facilities of the United States Employment Service, except through arrangement with the United States Employment Service.

(c) Advertisements for employees possessing skills which appear on the list of critical occupations must state that hires may be made only through referral by or with the consent of the United States Employment Service.

(d) Advertisements of employers located outside the Paterson Area of the War Manpower Commission shall state clearly that persons now employed or residing within the Paterson area will not be considered.

(e) Advertisements of employers shall contain no mention of wage rates or possible earnings.

**SEC. 5. Advance notice of lay-offs.** Employers are required when possible to provide at least three days' advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

**SEC. 6. Limited statements of availability.** Limited statements of availability specifying particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action. *Provided*, That such action is agreeable to both the employer and employees involved. *And provided further*, That such limited statements of availability shall not be issued for a period longer than 3 months.

**SEC. 7. Request to remain on or return to a job.** The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

**SEC. 8. Employment ceiling and priority referral.** The Area Manpower Director may fix for all or any establishments in the Paterson area, fair and reasonable employment ceilings and/or allowances, limiting the number of employees, or specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products.

**SEC. 9. Definitions.** As used in this plan:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments means his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

(h) "Paterson area" all of Passaic County; all of Bergen County except Lyndhurst Township and North Arlington Borough; northern Hudson County which includes the following municipalities: Guttenberg, North Bergen, Secaucus, Union City, Weehawken, West New York; all of Morris County; all of Sussex County; the following civil divisions of Somerset County: Bernards Township and Bernardsville; the following townships of Warren County: Allamuchy, Blairstown, Frelinghuysen, Hardwick, Pahaquarry, and the following communities: Dunnfield, Johnsonburg, Marksboro, Millbrook, Paulina and Vails.

Dated September 1, 1944.

ROBERT O. BOWLBY,  
Area Director.

Approved: October 31, 1944.

FRANK L. MCNAMEE,  
Regional Director.

[F. R. Doc. 44-16992; Filed, Nov. 4, 1944;  
3:53 p. m.]

#### WAR PRODUCTION BOARD.

[C-180]

SUDDUTH HOMES, INC.

CONSENT ORDER

H. L. Sudduth, d. b. a. Sudduth Homes, Inc., Panama City, Florida, is charged by the War Production Board with a violation of Conservation Order L-41 in the respect that on March 1, 1944, he began and thereafter continued construction on a dwelling house located at 615 Cove Boulevard, Panama City, Florida, at an estimated cost of \$3,600.00. This was in excess of the \$200 permitted construction allowed by Order L-41. H. L. Sudduth admits the unauthorized construction as charged.

Therefore, upon the agreement and consent of H. L. Sudduth, the Regional Compliance Chief, the Regional Attorney and the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither H. L. Sudduth, his agents or assigns, shall begin or continue construction as defined by Conservation Order

L-41 and its amendments in Panama City, Florida, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve H. L. Sudduth, his agents or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on November 6, 1944.

Issued this 6th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17038; Filed, Nov. 6, 1944;  
3:43 p. m.]

[C-223]

JOHN R. BROWNE  
CONSENT ORDER

John R. Browne (also known as Jack Browne) of 795 Sheridan Boulevard, Jefferson County, Colorado, who is engaged in farming and auctioneering, has been charged in a charging letter issued by War Production Board on July 11, 1944, with having begun construction consisting of the remodeling of an old frame building located at 795 Sheridan Boulevard, Jefferson County, Colorado, at an estimated cost of approximately \$2,000 for the purpose of converting that building to agricultural uses and as a sales barn or auction room to be used weekly in conducting auction sales of livestock and chattel property and of conducting therein a restaurant or lunch room, in violation of War Production Board Conservation Order L-41. John R. Browne admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of John R. Browne, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered*, That:

(a) Neither John R. Browne, his successors or assigns, nor any other person, shall do any construction on the premises at 795 Sheridan Boulevard, Jefferson County, Colorado, including putting up or altering the structure unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John R. Browne, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 6th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17087; Filed, Nov. 6, 1944;  
3:43 p. m.]